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REGULATORY RELIEF: SIMPLIFYING  
AND ELIMINATING CONTRACT CLAUSES

VOLUME 1

Report PL903R1

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The Defense Management Review  
Regulatory Relief Task Force

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## **CHAPTER 1**

### **INTRODUCTION**

## INTRODUCTION

This report sets forth our analysis of the 1,090 solicitation provisions, contract clauses, and alternates<sup>1</sup> in the Federal Acquisition Regulation (FAR) and the DoD FAR Supplement (DFARS). Contract clauses and solicitation provisions – hereafter simply called “clauses” – are a principal means of implementing the policies contained in the acquisition regulations.

The report presents such information about the clauses as whether their origin is statutory or nonstatutory. “Statutory” is used here to embrace clauses based on law, Executive order, Office of Management and Budget (OMB) circular, Office of Federal Procurement Policy (OFPP) policy letter, other executive branch directive, or nonprocurement regulation published in the Code of Federal Regulations. The report also indicates whether the clause flows down to subcontractors and the tier to which flowdown occurs. — D to P.1-5

In addition to furnishing these factual data, we have evaluated each clause and provided a recommendation regarding it. A clause may be a candidate for elimination or modification because of duplication, obsolescence, policy conflicts, or absence of need for it. Or it may need redrafting because it is unclear, redundant, or inconsistent. We make a recommendation for disposition of each clause, including elimination, simplification, removal of inconsistencies, or retention as is.

Our analysis covers all 639 FAR and 451 DFARS clauses and alternates through Federal Acquisition Circular (FAC) 84-51 and Defense Acquisition Circular (DAC) 88-10, regardless of origin. Some clauses proposed for modification are based on statute, and their modification may require legislative action. Nonstatutory FAR and DFARS clauses can be modified or eliminated more easily, by action of the

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<sup>1</sup>Provisions are used in solicitations and apply before contract award. Typically they are notices and instructions on preparing and submitting offers, or certifications and representations required with offer submissions. Clauses are used in contracts but appear also in the solicitation, for the purpose of informing offerors of the terms and conditions that will apply if their offer is accepted. These clauses generally specify rights and duties of the contracting parties. Alternates give language to be added to or deleted from a standard clause (or substituted for language in it) to tailor the clause for use in specific circumstances.

Defense Acquisition Regulatory (DAR) Council alone or in concert with the Civilian Agency Acquisition Council.

## **CLAUSE ORIGINS**

As noted, we have identified the origin of each clause as statutory or nonstatutory. The statutory category is divided into four subcategories according to the clause's relationship to its source. We indicate whether the clause is specifically required by statute, implements statute, supports statutory or executive branch policy, or has both statutory and nonstatutory origins. The purpose of ascertaining clause origins is to determine what kind of action is needed to modify or eliminate a clause. If a clause is statutory, action from Congress, the executive branch, or another agency may be required in order to implement our recommendations.

## **CLAUSE DISPOSITION**

Our evaluation of the efficacy of and necessity for each clause is in two parts. First, we draw conclusions about the clause from an analysis of its origin, related regulatory material, and other clauses. Our conclusions indicate whether the clause is satisfactory as is or whether it duplicates coverage elsewhere; is inconsistent with another clause or with current policy; could benefit from redrafting and simplification; or is unnecessary, obsolete, or otherwise unsatisfactory.

From our conclusions, we recommend actions to be taken for disposition of the clause. For each clause, we recommend one of the five actions: eliminate the clause entirely, combine it with another clause, move it to another regulation, redraft it, or accept it without modification.

## **SUMMARY OF FINDINGS AND RECOMMENDATIONS**

Table 1-1 summarizes our findings on clause origins, by FAR and DFARS part. Detailed descriptions of the classification codes we use in the table and elsewhere are in Chapter 2. For purposes of reporting clause origins, alternates to clauses have not been included in Table 1-1. The total of 496 FAR and 431 DFARS clauses (927 altogether) in this table thus more accurately reflects the count of individually numbered clauses used in the FAR and DFARS. As Table 1-1 indicates, we have found that about 43 percent of the FAR clauses and 25 percent of the DFARS clauses

are statutory in origin. Certain FAR and DFARS parts are dominated by statutory clauses. The FAR parts with a preponderance of statutory clauses are

- Part 3, *Improper Business Practices and Personal Conflicts of Interest*
- Part 19, *Small Business and Small Disadvantaged Business Concerns*
- Part 20, *Labor Surplus Area Concerns*
- Part 22, *Application of Labor Laws to Government Acquisition*
- Part 23, *Environment, Conservation, and Occupational Safety*
- Part 25, *Foreign Acquisition.*

DFARS parts with a preponderance of statutory clauses are

- Part 208, *Required Sources of Supply*
- Part 219, *Small Business and Small Disadvantaged Business Concerns*
- Part 225, *Foreign Acquisition.*

The relatively low percentage of statutory DFARS clauses is due, in part, to the fact that the DFARS clause count includes many unnecessary nonstatutory clauses. For example, most of the 117 clauses in Part 217, *Special Contracting Methods*, are "phantom" clauses merely invoking already existing FAR and DFARS clauses. Thus, they unnecessarily duplicate clauses included in our total count. Similarly, most of the clauses appearing in Part 270, *Acquisition of Computer Resources*, simply reference standard automatic data processing specifications and could be eliminated by including them as item descriptions or specifications.

Table 1-2 summarizes our conclusions about the FAR and DFARS clauses and alternates. Chapter 2 defines the conclusion codes used in that table and elsewhere. Clauses and alternates may have more than one conclusion code; thus, the total number of conclusions exceeds the number of clauses and alternates (1,090). Our conclusions indicate that 73 percent of the FAR clauses are basically acceptable as written, while only 24 percent of the DFARS clauses are. The DFARS contains significantly more clauses that duplicate FAR or other DFARS clauses, and many more clauses that are questionable for various reasons. As noted above, most of the duplicative and questionable DFARS clauses are found in Parts 217 and 270.

A summary of our recommendations for the FAR and DFARS clauses and alternates is provided in Table 1-3. The recommendation codes also are defined in Chapter 2. As with the conclusions, a clause may have more than one recommendation code; thus, the total number of our recommendations is greater than the number of clauses. Our recommendations call for eliminating 17 percent of the FAR clauses and 63 percent of the DFARS clauses. Clauses recommended for elimination include those that are duplicative, obsolete, inconsistent with other clauses or policy, or simply unnecessary. Candidates for elimination also include some that can be merged with other clauses or relegated to other forms of guidance such as specifications. FAR parts with many clause elimination recommendations are

- Part 14, *Sealed Bidding*
- Part 15, *Contracting by Negotiation*
- Part 22, *Application of Labor Laws to Government Acquisitions*
- Part 27, *Patents, Data, and Copyrights*
- Part 32, *Contract Financing*
- Part 47, *Transportation.*

DFARS parts with many clause elimination recommendations are

- Part 217, *Special Contracting Methods*
- Part 225, *Foreign Acquisition*
- Part 227, *Patents, Data, and Copyrights*
- Part 237, *Service Contracting*
- Part 247, *Transportation*
- Part 270, *Acquisition of Computer Resources.*

Table 1-4 stratifies our recommendations by clause origin. As can be seen from the table, 70 of the 112 FAR clauses recommended for elimination are nonstatutory, while 42 have a statutory basis. Of the 284 DFARS clauses recommended for elimination, 240 are nonstatutory and 44 have a statutory basis. Our findings and recommendations show that the DFARS is in need of greater revision than the FAR. Of course, DoD alone does not have full authority to implement all of our

recommendations. Some will require coordination with the Civilian Agency Acquisition Council and/or Congress.

Table 1-5 summarizes clause flowdown to subcontractors by FAR and DFARS part. Ten percent of the clauses must be flowed down, and we believe that prime contractors need to flow down the requirements, if not the clause, for another 7 percent of the clauses. Our review did not address clauses that a prime contractor might, of its own volition, want to flow down for self-protection. Our review shows that the FAR is the source of most of the flowdown clauses. About 90 percent of the clauses that flow down extend below the first tier of subcontractors.

## REPORT CONTENTS

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1-1 → In the rest of this report, we first describe (Chapter 2) the coding conventions used to present our review and analysis of the clauses. This description is followed in Chapter 3 by the detailed report on the 451 clauses (including alternates) from the DFARS, presented in numerical order by DFARS part. Finally, Chapter 4 arrays the 639 clauses (including alternates) from the FAR, also in numerical order by part.

→ (See )



**TABLE 1-1**  
**STATUTORY/NONSTATUTORY ORIGIN OF FAR AND DFARS CLAUSES, BY PART**  
**(Not including alternates)**

Part	Description	FAR clause origins						DFARS clause origins					
		S1	S2	S3	S4	NS	Total	S1	S2	S3	S4	NS	Total
2	Definitions of Words and Terms	0	0	0	0	1	1	0	0	0	0	0	0
3	Improper Business Practices and Personal Conflicts of Interest	7	1	1	0	1	10	1	1	0	0	2	4
4	Administrative Matters	0	3	0	0	1	4	0	1	2	0	2	5
5	Publicizing Contract Actions	0	0	0	0	0	0	0	1	0	0	0	1
7	Acquisition Planning	1	2	0	0	1	4	0	0	0	0	0	0
8	Required Sources of Supply	0	0	2	0	5	7	0	0	6	0	1	7
9	Contractor Qualifications	0	2	1	0	2	5	1	0	0	0	1	2
10	Specifications, Standards, and Other Purchase Descriptions	0	0	0	0	7	7	0	0	1	0	5	6
12	Contract Delivery or Performance	0	0	2	0	13	15	0	0	0	0	1	1
13	Small Purchases	0	0	2	0	1	3	0	0	0	0	0	0
14	Sealed Bidding	0	4	2	1	22	29	0	0	1	0	0	1
15	Contracting by Negotiation	0	8	3	1	19	31	0	1	1	1	1	4
16	Types of Contracts	0	0	7	1	18	26	0	0	0	0	2	2
17	Special Contracting Methods	0	2	3	0	4	9	1	4	0	0	112	117
19	Small Business and Small Disadvantaged Business Concerns	4	7	5	0	0	16	1	2	11	0	0	14

Note: S1 = specifically required by statute; S2 = implements statute but not specifically required by it; S3 = not required by statute but chosen to implement broad policy or utilize delegated authority; S4 = has both statutory and nonstatutory elements; NS = nonstatutory.

TABLE 1-1

**STATUTORY/NONSTATUTORY ORIGIN OF FAR AND DFARS CLAUSES, BY PART (Continued)**  
(Not including alternates)

Part	Description	FAR clause origins						DFARS clause origins					
		S1	S2	S3	S4	NS	Total	S1	S2	S3	S4	NS	Total
20	Labor Surplus Area Concerns	0	0	4	0	0	4	0	0	2	0	0	2
22	Application of Labor Laws to Government Acquisitions	15	14	5	0	6	40	1	0	0	0	0	1
23	Environment, Conservation, and Occupational Safety	3	3	0	0	0	6	0	2	0	0	3	5
24	Protection of Privacy and Freedom of Information	2	0	0	0	0	2	0	0	0	0	0	0
25	Foreign Acquisition	2	9	1	0	1	13	9	7	7	1	2	26
26	Other Socioeconomic Programs	0	0	0	0	0	0	0	0	2	0	0	2
27	Patents, Data, and Copyrights	0	7	2	0	14	23	0	6	4	1	21	32
28	Bonds and Insurance	2	0	3	0	5	10	0	0	1	1	5	7
29	Taxes	0	0	0	0	10	10	0	0	0	0	1	1
30	Cost Accounting Standards	0	2	0	1	3	6	0	0	0	0	0	0
31	Contract Cost Principles and Procedures	0	0	0	0	0	0	2	0	0	0	1	3
32	Contract Financing	4	3	3	4	14	28	0	0	5	0	2	7
33	Protests, Disputes, and Appeals	0	1	2	0	0	3	0	1	0	0	0	1
34	Major System Acquisition	0	0	0	0	0	0	0	0	2	0	0	2
35	Research and Development Contracting	0	0	0	0	0	0	2	1	1	1	0	5

Note: S1 = specifically required by statute; S2 = implements statute but not specifically required by it; S3 = not required by statute but chosen to implement broad policy or utilize delegated authority; S4 = has both statutory and nonstatutory elements; NS = nonstatutory.

TABLE 1-1

## STATUTORY/NONSTATUTORY ORIGIN OF FAR AND DFARS CLAUSES, BY PART (Continued)

(Not including alternates)

Part	Description	FAR clause origins						DFARS clause origins					
		S1	S2	S3	S4	NS	Total	S1	S2	S3	S4	NS	Total
36	Construction and Architect-Engineering Contracts	0	0	1	1	23	25	0	1	2	0	16	19
37	Service Contracting	2	0	0	1	6	9	0	2	0	0	40	42
42	Contract Administration	0	0	1	0	4	5	2	1	0	0	0	3
43	Contract Modifications	0	0	0	0	7	7	0	0	0	0	2	2
44	Subcontracting Policies and Procedures	0	0	2	1	2	5	0	0	0	0	0	0
45	Government Property	0	1	0	1	17	19	0	0	0	0	1	1
46	Quality Assurance	0	0	0	1	23	24	0	0	1	0	1	2
47	Transportation	0	1	8	26	29	64	0	1	1	1	25	28
48	Value Engineering	3	0	0	0	0	3	0	0	0	0	0	0
49	Termination of Contracts	0	0	0	0	14	14	0	0	0	0	1	1
50	Extraordinary Contractual Actions	0	1	0	0	0	1	0	0	0	0	0	0
51	Use of Government Sources by Contractors	0	0	0	0	2	2	0	0	0	0	2	2
52	Clauses	0	0	0	0	6	6	0	0	0	0	4	4
70	Acquisition of Computer Resources	0	0	0	0	0	0	0	2	0	1	65	68
71	Recovery of Nonrecurring Costs on Commerical Sales of Defense Products and Technology and of Royalty Fees for Use of DoD Technical Data	0	0	0	0	0	0	0	0	0	0	1	1
	Totals	45	71	60	39	280	496	20	34	50	7	321	431

Note: S1 = specifically required by statute; S2 = implements statute but not specifically required by it; S3 = not required by statute but chosen to implement broad policy or utilize delegated authority; S4 = has both statutory and nonstatutory elements; NS = nonstatutory.

TABLE 1-2

## CONCLUSIONS DEVELOPED CONCERNING FAR AND DFARS CLAUSES AND ALTERNATES, BY PART

Part	Description	FAR clause conclusions							DFARS clause conclusions						
		FF	FD	I	PW	Q	O	OK	DD	DF	I	PW	Q	O	OK
2	Definitions of Words and Terms	0	0	0	0	2	0	0	0	0	0	0	0	0	0
3	Improper Business Practices and Personal Conflicts of Interest	1	0	0	0	1	0	8	0	0	0	2	1	0	1
4	Administrative Matters	0	1	0	0	1	0	5	0	2	1	0	1	0	2
5	Publicizing Contract Actions	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7	Acquisition Planning	0	0	0	0	0	0	4	0	0	0	0	0	0	0
8	Required Sources of Supply	0	0	0	0	3	0	4	0	0	6	0	6	0	1
9	Contractor Qualifications	0	0	0	0	1	0	8	0	0	1	0	0	0	1
10	Specifications, Standards, and Other Purchase Descriptions	1	0	1	0	2	0	3	0	1	1	0	3	0	1
12	Contract Delivery or Performance	0	0	1	0	0	0	23	0	0	1	0	0	0	0
13	Small Purchases	0	0	0	1	0	0	2	0	0	0	0	0	0	0
14	Sealed Bidding	0	0	0	1	12	1	20	0	0	0	0	0	0	1
15	Contracting by Negotiation	0	0	0	3	11	2	22	0	0	0	1	1	0	2
16	Types of Contracts	0	0	6	0	0	0	30	0	0	0	1	0	0	1
17	Special Contracting Methods	0	0	0	0	4	0	6	22	70	0	1	16	0	15
19	Small Business and Small Disadvantaged Business Concerns	0	0	2	1	0	0	1	4	2	3	6	0	4	3
20	Labor Surplus Area Concerns	0	1	2	0	0	0	2	2	0	0	2	0	0	0

Note: FF, DF = duplicates FAR clause; FD, DD = duplicates DFARS clause; I = inconsistent; PW = poorly written; Q = appears unnecessary; O = obsolete; OK = no major changes needed. Most clauses have been assigned only one conclusion code, but some have two or even three.

**TABLE 1-2**  
**CONCLUSIONS DEVELOPED CONCERNING FAR AND DFARS CLAUSES AND ALTERNATES, BY PART (Continued)**

Part	Description	FAR clause conclusions							DFARS clause conclusions						
		FF	FD	I	PW	Q	O	OK	DD	DF	I	PW	Q	O	OK
22	Application of Labor Laws to Government Acquisitions	0	0	4	1	12	0	26	0	0	0	0	0	0	1
23	Environment, Conservation, and Occupational Safety	2	0	1	0	1	0	2	0	1	1	0	0	0	3
24	Protection of Privacy and Freedom of Information	1	0	0	0	0	0	1	0	0	0	0	0	0	0
25	Foreign Acquisition	5	0	0	2	0	0	6	11	6	1	1	9	0	6
26	Other Socioeconomic Programs	0	0	0	0	0	0	0	0	0	1	0	0	0	1
27	Patents, Data, and Copyrights	0	0	5	0	15	3	22	0	0	7	3	19	2	11
28	Bonds and Insurance	0	0	0	0	0	0	12	0	1	1	0	0	0	5
29	Taxes	1	0	0	0	1	0	9	0	0	0	0	0	0	1
30	Cost Accounting Standards	1	0	0	2	2	0	2	0	0	0	0	0	0	0
31	Contract Cost Principles and Procedures	0	0	0	0	0	0	0	0	0	0	0	0	0	3
32	Contract Financing	0	0	1	3	12	0	21	0	1	0	0	5	1	4
33	Protests, Disputes, and Appeals	0	0	0	0	0	0	5	0	0	0	0	0	0	1
34	Major System Acquisition	0	0	0	0	0	0	0	0	0	0	0	2	0	0
35	Research and Development Contracting	0	0	0	0	0	0	0	2	0	2	1	1	0	1
36	Construction and Architect-Engineering Contracts	1	3	2	8	0	0	18	0	5	3	1	3	0	10
37	Service Contracting	0	0	4	0	0	0	6	1	3	0	14	20	0	16

Note: FF, DF = duplicates FAR clause; FD, DD = duplicates DFARS clause; I = inconsistent, PW = poorly written; Q = appears unnecessary, O = obsolete, OK = no major changes needed. Most clauses have been assigned only one conclusion code, but some have two or even three.

TABLE 1-2

## CONCLUSIONS DEVELOPED CONCERNING FAR AND DFARS CLAUSES AND ALTERNATES, BY PART (Continued)

Part	Description	FAR clause conclusions								DFARS clause conclusions							
		FF	FD	I	PW	Q	O	OK		DD	DF	I	PW	Q	O	OK	
42	Contract Administration	0	0	0	0	0	2	3		0	0	1	0	0	0	2	
43	Contract Modifications	0	0	0	0	1	0	16		0	0	0	0	1	0	2	
44	Subcontracting Policies and Procedures	0	0	2	2	1	1	2		0	0	0	0	0	0	0	
45	Government Property	1	0	0	0	6	0	17		0	0	0	0	1	0	0	
46	Quality Assurance	0	0	0	0	0	0	41		0	0	3	0	0	0	1	
47	Transportation	4	0	0	0	7	1	59		1	8	5	4	16	1	3	
48	Value Engineering	0	0	0	0	0	0	7		0	0	0	0	0	0	0	
49	Termination of Contracts	0	0	0	0	0	0	29		0	0	0	0	0	0	1	
50	Extraordinary Contractual Actions	0	0	0	0	0	0	2		0	0	0	0	0	0	0	
51	Use of Government Sources by Contractors	0	0	0	0	0	0	3		0	2	0	0	2	1	0	
52	Clauses	0	0	0	0	0	0	8		0	0	0	0	4	4	0	
70	Acquisition of Computer Resources	0	0	0	0	0	0	0		0	2	4	0	58	0	6	
71	Recovery of Nonrecurring Costs on Commerical Sales of Defense Products and Technology and of Royalty Fees for Use of DoD Technical Data	0	0	0	0	0	0	0		0	0	0	0	0	0	1	
	Totals	18	5	31	24	95	10	469		43	104	42	37	169	13	108	

Note: FF, FD = duplicates FAR clause; DD = duplicates DFARS clause; I = inconsistent; PW = poorly written; Q = appears unnecessary; O = obsolete; OK = no major changes needed. Most clauses have been assigned only one conclusion code, but some have two or even three.

TABLE 1-3

## RECOMMENDATIONS FOR DISPOSITION OF FAR AND DFARS CLAUSES AND ALTERNATES, BY PART

Part	Description	FAR clause recommendations							DFARS clause recommendations						
		EC	ED	EI	SL	M	OK	O	EC	ED	EI	SL	M	OK	O
2	Definitions of Words and Terms	2	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Improper Business Practices and Personal Conflicts of Interest	2	0	0	0	0	8	0	1	0	0	2	0	1	0
4	Administrative Matters	1	0	0	0	0	5	0	2	0	1	0	0	2	0
5	Publicizing Contract Actions	0	0	0	0	0	0	0	0	0	0	0	0	1	0
7	Acquisition Planning	0	0	0	0	0	4	0	0	0	0	0	0	0	0
8	Required Sources of Supply	3	0	0	0	0	4	1	5	0	0	0	0	1	1
9	Contractor Qualifications	1	0	0	0	0	8	0	0	0	0	0	1	1	0
10	Specifications, Standards, and Other Purchase Descriptions	3	0	0	0	1	3	0	4	0	0	0	1	1	0
12	Contract Delivery or Performance	0	0	1	0	0	23	0	0	0	1	0	0	0	0
13	Small Purchases	0	0	0	1	0	2	0	0	0	0	0	0	0	0
14	Sealed Bidding	12	0	0	0	0	20	1	0	0	0	0	0	1	0
15	Contracting by Negotiation	11	0	0	2	0	23	1	1	0	0	1	0	2	0
16	Types of Contracts	0	0	6	0	0	30	0	0	0	0	1	0	1	0
17	Special Contracting Methods	4	0	0	0	0	6	2	106	0	0	1	0	15	3
19	Small Business and Small Disadvantaged Business Concerns	0	0	2	1	0	15	1	3	3	0	5	3	3	2
20	Labor Surplus Area Concerns	0	0	2	0	0	2	0	1	1	0	1	0	0	0

Note: EC = eliminate; ED = eliminate duplication; EI = eliminate inconsistencies; SL = redraft; M = move; OK = accept as written; O = other, see remarks. Most clauses have been assigned only one recommendation code, but some have two or even three.

TABLE 1-3

## RECOMMENDATIONS FOR DISPOSITION OF FAR AND DFARS CLAUSES AND ALTERNATES, BY PART (Continued)

Part	Description	FAR clause recommendations							DFARS clause recommendations						
		EC	ED	EI	SL	M	OK	O	EC	ED	EI	SL	M	OK	O
22	Application of Labor Laws to Government Acquisitions	12	0	4	1	0	26	1	0	0	0	0	0	1	0
23	Environment, Conservation, and Occupational Safety	3	0	1	0	0	2	0	0	1	1	0	0	3	0
24	Protection of Privacy and Freedom of Information	1	0	0	0	0	1	0	0	0	0	0	0	0	0
25	Foreign Acquisition	5	0	0	2	0	6	0	17	2	0	2	0	7	3
26	Other Socioeconomic Programs	0	0	0	0	0	0	0	0	0	1	0	0	1	0
27	Patents, Data, and Copyrights	15	0	5	0	0	22	3	20	0	4	3	0	11	1
28	Bonds and Insurance	0	0	0	0	0	12	0	1	0	0	0	1	5	1
29	Taxes	2	0	0	0	0	9	4	0	0	0	0	0	1	0
30	Cost Accounting Standards	2	1	0	2	0	2	0	0	0	0	0	0	0	0
31	Contract Cost Principles and Procedures	0	0	0	0	0	0	0	0	0	0	0	0	3	0
32	Contract Financing	12	0	1	3	0	21	3	6	0	0	0	0	4	0
33	Protests, Disputes, and Appeals	0	0	0	0	0	5	0	0	0	0	0	0	1	0
34	Major System Acquisition	0	0	0	0	0	0	0	2	0	0	0	0	0	0
35	Research and Development Contracting	0	0	0	0	0	0	0	2	2	0	1	2	1	0
36	Construction and Architect-Engineering Contracts	0	4	2	8	0	18	0	6	5	0	1	1	10	2
37	Service Contracting	0	0	4	0	0	6	0	20	0	0	13	0	16	1

Note: EC = eliminate; ED = eliminate duplication; EI = eliminate inconsistencies; SL = redraft; M = move; OK = accept as written; O = other, see remarks. Most clauses have been assigned only one recommendation code, but some have two or even three.



TABLE 1-3

## RECOMMENDATIONS FOR DISPOSITION OF FAR AND DFARS CLAUSES AND ALTERNATES, BY PART (Continued)

Part	Description	FAR clause recommendations								DFARS clause recommendations							
		EC	ED	EI	SL	M	OK	O	EC	ED	EI	SL	M	OK	O		
42	Contract Administration	1	0	0	0	0	3	2	0	0	0	0	1	2	0		
43	Contract Modifications	1	0	0	0	0	16	0	1	0	0	0	0	2	0		
44	Subcontracting Policies and Procedures	2	0	2	2	0	2	0	0	0	0	0	0	0	0		
45	Government Property	6	1	0	0	0	17	0	1	0	0	0	0	0	0		
46	Quality Assurance	0	0	0	0	0	41	0	0	0	0	0	3	1	0		
47	Transportation	11	0	0	0	0	59	5	21	2	3	2	1	3	1		
48	Value Engineering	0	0	0	0	0	7	0	0	0	0	0	0	0	0		
49	Termination of Contracts	0	0	0	0	0	29	0	0	0	0	0	0	1	0		
50	Extraordinary Contractual Actions	0	0	0	0	0	2	0	0	0	0	0	0	0	0		
51	Use of Government Sources by Contractors	0	0	0	0	0	3	0	2	0	0	0	0	0	0		
52	Clauses	0	0	0	0	0	8	0	4	0	0	0	0	0	0		
70	Acquisition of Computer Resources	0	0	0	0	0	0	0	58	0	2	0	2	6	0		
71	Recovery of Nonrecurring Costs on Commerical Sales of Defense Products and Technology and of Royalty Fees for Use of DoD Technical Data	0	0	0	0	0	0	0	0	0	0	0	0	1	0		
	Totals	112	6	30	22	1	470	24	284	16	13	33	16	109	15		

Note: EC = eliminate; ED = eliminate duplication; EI = eliminate inconsistencies; SL = redraft; M = move; OK = accept as written; O = other, see remarks. Most clauses have been assigned only one recommendation code, but some have two or even three.

**TABLE 1-4**  
**RECOMMENDATIONS FOR DISPOSITION OF FAR AND DFARS CLAUSES AND ALTERNATES, BY CLAUSE/ALTERNATE ORIGIN**

Origin code	FAR clause recommendations							DFARS clause recommendations						
	EC	ED	EI	SL	M	OK	O	EC	ED	EI	SL	M	OK	O
S1	7	0	1	3	0	42	1	7	1	0	3	1	9	1
S2	13	1	6	3	0	58	1	6	1	6	5	2	18	3
S3	14	2	8	3	0	47	1	29	7	2	7	6	10	3
S4	8	1	2	5	0	36	4	2	1	0	2	3	2	0
NS	70	2	13	8	1	287	17	240	6	5	16	4	70	8
<b>Totals</b>	<b>112</b>	<b>6</b>	<b>30</b>	<b>22</b>	<b>1</b>	<b>470</b>	<b>24</b>	<b>284</b>	<b>16</b>	<b>13</b>	<b>33</b>	<b>16</b>	<b>109</b>	<b>15</b>

**Note:** S1 = specifically required by statute; S2 = implements statute but not specifically required by it; S3 = not required by statute but chosen to implement broad policy or utilize delegated authority; S4 = has both statutory and nonstatutory elements; NS = nonstatutory; EC = eliminate; ED = eliminate duplication; EI = eliminate inconsistencies; SL = redraft; M = move; OK = accept as written; O = other, see remarks. Most clauses have been assigned only one recommendation code, but some have two or even three.

TABLE 1-5

## FLOWDOWN OF FAR AND DFARS CLAUSES AND ALTERNATES TO SUBCONTRACTORS, BY PART

Part	Description	FAR clause flowdown					DFARS clause flowdown				
		M	O	R	P	N	M	O	R	P	N
2	Definitions of Words and Terms	0	0	0	0	2	0	0	0	0	0
3	Improper Business Practices and Personal Conflicts of Interest	0	0	2	0	8	0	0	1	0	3
4	Administrative Matters	3	0	0	0	3	2	0	0	0	3
5	Publicizing Contract Actions	0	0	0	0	0	0	0	0	0	1
7	Acquisition Planning	0	0	0	0	4	0	0	0	0	0
8	Required Sources of Supply	2	0	0	0	5	7	0	0	0	0
9	Contractor Qualifications	0	0	0	0	9	0	0	1	0	1
10	Specifications, Standards, and Other Purchase Descriptions	0	0	0	0	7	1	0	1	0	4
12	Contract Delivery or Performance	0	0	2	0	22	0	0	0	0	1
13	Small Purchases	0	0	0	0	3	0	0	0	0	0
14	Sealed Bidding	2	0	0	0	30	0	0	0	0	1
15	Contracting by Negotiation	5	0	2	0	29	1	0	0	0	3
16	Types of Contracts	0	0	0	4	32	0	0	0	0	2
17	Special Contracting Methods	0	0	0	0	10	0	0	0	0	122

Note: M = mandatory; O = optional; R = requirements flow down, but not the clause itself; P = a portion flows down; N = FAR/DFARS do not require flowdown.

TABLE 1-5

## FLOWDOWN OF FAR AND DFARS CLAUSES AND ALTERNATES TO SUBCONTRACTORS, BY PART (Continued)

Part	Description	FAR clause flowdown					DFARS clause flowdown				
		M	O	R	P	N	M	O	R	P	N
19	Small Business and Small Disadvantaged Business Concerns	0	0	2	0	16	0	0	1	0	15
20	Labor Surplus Area Concerns	1	0	0	0	3	0	0	0	0	2
22	Application of Labor Laws to Government Acquisitions	21	0	3	2	17	1	0	0	0	0
23	Environment, Conservation, and Occupational Safety	3	0	0	0	3	2	0	0	0	3
24	Protection of Privacy and Freedom of Information	1	0	0	0	1	0	0	0	0	0
25	Foreign Acquisition	2	0	10	0	1	3	0	16	0	7
26	Other Socioeconomic Programs	0	0	0	0	0	0	0	0	0	2
27	Patents, Data, and Copyrights	19	0	0	0	24	10	0	0	0	25
28	Bonds and Insurance	3	0	0	0	9	0	0	1	0	6
29	Taxes	0	0	2	0	9	0	0	0	0	1
30	Cost Accounting Standards	3	0	0	0	3	0	0	0	0	0
31	Contract Cost Principles and Procedures	0	0	0	0	0	0	0	0	0	3
32	Contract Financing	0	3	0	0	34	0	0	3	0	7
33	Protests, Disputes, and Appeals	0	0	0	0	5	0	0	0	0	1

Note: M = mandatory; O = optional; R = requirements flow down, but not the clause itself; P = a portion flows down; N = FAR/DFARS do not require flowdown.

TABLE 1-5

## FLOWDOWN OF FAR AND DFARS CLAUSES AND ALTERNATES TO SUBCONTRACTORS, BY PART (Continued)

Part	Description	FAR clause flowdown					DFARS clause flowdown				
		M	O	R	P	N	M	O	R	P	N
34	Major System Acquisition	0	0	0	0	0	0	0	1	0	1
35	Research and Development Contracting	0	0	0	0	0	1	0	0	0	4
36	Construction and Architect-Engineering Contracts	3	0	3	0	23	2	0	0	0	18
37	Service Contracting	1	0	0	0	9	1	0	0	0	43
42	Contract Administration	0	0	0	0	5	0	0	0	0	3
43	Contract Modifications	0	0	0	0	17	0	0	0	0	3
44	Subcontracting Policies and Procedures	0	0	0	0	7	0	0	0	0	0
45	Government Property	0	0	4	0	20	0	0	0	0	1
46	Quality Assurance	4	0	13	0	24	0	0	0	0	4
47	Transportation	0	0	5	0	66	1	0	0	0	28
48	Value Engineering	6	0	0	0	1	0	0	0	0	0
49	Termination of Contracts	0	0	0	0	29	0	0	0	0	1
50	Extraordinary Contractual Actions	0	0	0	0	2	0	0	0	0	0
51	Use of Government Sources by Contractors	0	0	0	0	3	0	0	0	0	2
52	Clauses	0	0	0	0	8	0	0	0	0	4
70	Acquisition of Computer Resources	0	0	0	0	0	0	0	0	0	68

Note: M = mandatory; O = optional; R = requirements flow down, but not the clause itself; P = a portion flows down; N = FAR/DFARS do not require flowdown.

TABLE 1-5

## FLOWDOWN OF FAR AND DFARS CLAUSES AND ALTERNATES TO SUBCONTRACTORS, BY PART (Continued)

Part	Description	FAR clause flowdown					DFARS clause flowdown				
		M	O	R	P	N	M	O	R	P	N
71	Recovery of Nonrecurring Costs on Commercial Sales of Defense Products and Technology and of Royalty Fees for Use of DoD Technical Data	0	0	0	0	0	0	0	1	0	0
	Totals	79	3	48	6	503	32	0	26	0	393

Note: M = mandatory; O = optional; R = requirements flow down, but not the clause itself; P = a portion flows down; N = FAR/DFARS do not require flowdown.

## **CHAPTER 2**

### **DESCRIPTION OF REPORT CONTENTS AND FORMAT**

## **DESCRIPTION OF REPORT CONTENTS AND FORMAT**

The information and analysis report for each FAR and DFARS clause is presented in a uniform format consisting of 11 data elements. These elements, with their coding conventions, are described below.

### **CLAUSE NUMBER**

Self-explanatory.

### **ALTERNATE (ALT)**

Clauses with alternates generally use the same clause number for each alternate. This field, along with the clause title, distinguishes the alternates from the basic clause. Clauses that have alternates listed in their titles and are numbered differently from the basic clause are treated as separate clauses and not entered here.

### **TITLE**

Self-explanatory.

### **DATE**

Self-explanatory.

### **PRESCRIPTION**

The number of the FAR or DFARS location where directions for using the clause are found.

### **ORIGIN CODE**

We defined several classifications of clause origin. There are two basic categories: statutory and nonstatutory. Statutory clauses are based on law, Executive order, OMB circular, OFPP policy letter, regulation, or executive branch directive.<sup>1</sup> Nonstatutory clauses are those based on Government-wide acquisition

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<sup>1</sup>For simplicity, we use "statutory" to embrace not only matters of law but also other requirements imposed by authorities outside of DoD and the other acquisition agencies.



policies and procedures imposed by the two councils in the FAR or those that DoD imposes to supplement or implement Government-wide policy in the DFARS.

Statutory clauses are divided into four subcategories: S1, S2, S3, and S4. The subcategory signifies how closely a clause is tied to statute, Executive order, OMB circular, etc., with S1 being the most closely tied and S4 the least closely tied. The subcategories are not discrete, and classifying cases at the boundaries is judgmental. Nonstatutory clauses are designated with an "NS." The following paragraphs define and illustrate the codes used to describe clause origins:

- S1. An S1 code indicates a clause specifically required by a statute.

Clause 52.232-25, *Prompt Payment*, exemplifies a clause classified as S1. The statutory language covering prompt payment (31 U.S.C. 39 et seq.) is detailed, even specifying the content of the implementing regulations. Although much of the language in this particular clause is taken directly from the text of the statute, a clause need not contain the statutory language to be coded S1. Whenever the intent of Congress is so clearly defined that DoD and the other agencies have no flexibility in implementation, we designate the clause S1.

- S2. The S2 code applies to a clause clearly implementing a statute but not specifically required by it.

PL 99-661 and PL 100-180 express Congress' intention to support small disadvantaged businesses by encouraging awards from DoD. The law allows DoD to pay up to 10 percent over fair market price if the contract is awarded to a small disadvantaged business. The clause at 252.219-7007, *Notice of Evaluation Preference for Small Disadvantaged Business Concerns (Unrestricted)*, describes how DoD will implement that policy. We designate as S2 those clauses in which statutory intent is clear but some flexibility in implementation is allowed.

- S3. An S3 code applies to a clause not required by statute but chosen as a means of implementing or supporting broadly stated congressional or executive branch policy or of utilizing the authority delegated by Congress to DoD and the other agencies.

The clause at 252.220-7000, *Notice of Labor Surplus Area Set-Aside*, implements congressional procurement policy as expressed at 15 U.S.C. 644. Clause 252.225-7007, *Supplies to be Accorded Duty-Free Entry*, takes advantage of an exemption granted by law from paying duty on military supplies. We designate a clause as S3 when DoD and the other agencies have broad flexibility for implementing higher level policy statements.

S3 clauses can be altered or sometimes eliminated altogether without changing the law.

- S4. A clause coded S4 combines statutory and nonstatutory requirements.

The clause at 52.232-16, *Progress Payments*, derives from a legislative basis and internal acquisition policy. Progress payments are authorized in 10 U.S.C. 2307, and a progress payment rate of 80 percent during FY87 was legislatively mandated. The clause also contains administrative instructions on how payments are to be calculated, conditions for reducing or suspending payments, reports to be furnished by the contractor, and other requirements. Since DoD and the other agencies have control over the administrative portions of S4 clauses, these portions can be modified or simplified without changing the law.

- NS. An NS code indicates a clause whose origin is nonstatutory.

Nonstatutory clauses are based on DoD's or the two councils' authority to prescribe regulations. Such clauses reflect acquisition policies and procedures and can be modified or eliminated at the discretion of the agencies.

## SOURCE DESCRIPTION

The source description indicates underlying statutory citations forming the basis for the clause. These are usually the Public Law, or the U.S. Code reference if the law has been codified. Citations may also include Executive orders, OMB circulars, OFPP policy letters, Presidential directives, or sometimes agency regulations.

## FLOWDOWN

The following classifications are used to define the subcontractor flowdown requirements for each clause:

- M – Mandatory clause flowdown – the text of the clause itself or some other clause specifically requires flowdown.
- O – Optional clause flowdown – the FAR or DFARS permits but does not require flowdown.
- R – Requirements of the clause flow down, but the clause itself does not necessarily flow down.

- P — A portion of the clause flows down.
- N — Flowdown not required by the FAR or DFARS.

#### **FLOWDOWN LEVEL**

This data element describes the level or tier to which a clause must be flowed down. The following classifications are used for this purpose:

- A — Clause flows down to all levels, as long as conditions for its use apply.
- 1 — Clause flows down to the first-tier subcontractor only.
- Blank — Not applicable.

#### **CONCLUSION CODE AND RATIONALE**

This classification identifies our conclusion(s), based on an analysis of the clause, its origin, and related regulatory material. It indicates whether the clause duplicates coverage in another clause; is inconsistent with another clause or with current policy; could benefit from redrafting and simplification; or is unnecessary, obsolete, or satisfactory. When needed, discussion documenting the reason for the conclusion and references in support of the conclusion are provided under the heading "Rationale."

The following classifications are used to indicate our conclusions:

- DD — This DFARS clause duplicates another DFARS clause.
- DF — This DFARS clause duplicates a FAR clause.
- FF — This FAR clause duplicates another FAR clause.
- FD — This FAR clause duplicates a DFARS clause.
- I — This clause is inconsistent with other clauses or with current policies.
- PW — This clause is poorly written.
- Q — This clause appears to be unnecessary.
- O — This clause is outdated or obsolete.
- OK — No major changes necessary.

## RECOMMENDATION CODE AND REMARKS

On the basis of the analysis performed on the clause and the conclusions drawn, this section presents our recommendations on the disposition of the clause. The major options available are to eliminate the clause, simplify it, or accept it without modification. The remarks section elaborates on the reasons behind the recommendation or provides pertinent information judged important for report purposes. The classifications used to code our recommendations are as follows:

- EC – Eliminate the clause.
- ED – Eliminate duplication.
- EI – Eliminate inconsistencies.
- SL – Redraft the clause to simplify or improve the current language.
- M – Move clause to another regulation.
- OK – Accept the clause as currently written.
- O – Other recommendations (see remarks).

## **CHAPTER 3**

### **DFARS CLAUSES LISTED BY PART**

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.203-7000		ADVERTISING AND COUPON REDEMPTION FOR MILITARY RESALE ACTIVITIES	Apr-74	203.570	NS		N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Out of date, with limited application.

\* REMARKS \*

252.203-7001

SPECIAL PROHIBITION ON EMPLOYMENT

Mar-89 203.571-5

S2 10 USC 2408

R - A

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

Style conventions make clause unnecessarily long and difficult to understand.

Revision should shorten and clarify. Statute does not address or require subcontract flowdown.

\* REMARKS \*

252.203-7002

STATUTORY COMPENSATION PROHIBITIONS AND REPORTING REQUIREMENTS RELATING TO CERTAIN FORMER DOD EMPLOYEES

Apr-88 203.170-5

S1

10 USC 2397b(a), 10 USC 2397c

N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

Style conventions make clause unnecessarily long and difficult to understand.

Revision should shorten and clarify.

\* REMARKS \*

252.203-7003

DISPLAY OF DOD HOTLINE POSTER

Oct-87 203.7002

NS

DAC 86-7 attributes this requirement to the Packard Commission

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.204-7000		CONTRACT SCHEDULE SUBLINE ITEMS NOT SEPARATELY PRICED - WITHHOLDING OF BILLING AND PAYMENT	Nov-70	204.7104-2(c)(2)	NS		N -
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CONCLUSION CODE(S): DP Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

This clause is unnecessary. If the item is not priced, it cannot be invoiced and paid. Duplicates part of FAR 52.232-1, "Payments."

\* REMARKS \*

Under FAR 52.232-1, payments are made only when prices are stipulated in the contract.

252.204-7004

DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER REPORTING

Dec-80

S2

41 USC 405(d)(4)(A), FPDS Reporting Manual

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

FAR has recently established its own DUNS clause (52.204-4). However, DFARS has not rescinded its clause.

\* REMARKS \*

PL 93-400 requires establishing a contract data reporting system and implementing discrete identification of contractors. The DUNS code is the identifying method for FPDS and its DoD counterpart -- the DD Form 350.

252.204-7005

OVERSEAS DISTRIBUTION OF DEFENSE SUBCONTRACTS

Aug-88

204.674-3

S3

10 USC 2457

M - 1

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): EI

\* RATIONALE \*

The clause requires all prime contractors and first-tier subcontractors to submit DD Form 2139s when conditions are met. However, the General Instructions on the DD Form 2139 say "DOD prime contractors and their first tier subcontractors participating in the DOD subcontracting reporting program."

\* REMARKS \*

The data collected by OSD via the DD 2139 are used in negotiations with participating countries (i.e., NATO) as to offsets, Buy American/Buy National waivers, etc. These data are used to demonstrate the volume of their goods being acquired by prime and first-tier subcontractors. Information is used to negotiate reciprocal MOUs.

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.204-7007

COMMERCIAL AND GOVERNMENT  
ENTITY (CAGE) REPORTING

Oct-87 204.670-3(b)(1)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

DFARS 213.505-70(b)(2). CAGE codes are internal DoD means of identifying contractors.

This method of identifying contractors on contract forms is derived from the DoD's method of identifying manufacturers. CAGE codes duplicate DUNS and TIN's. Each code system serves a unique purpose, but they could be consolidated.

252.204-7008

TELECOMMUNICATIONS  
SECURITY EQUIPMENT,  
DEVICES, TECHNIQUES, AND  
SERVICES

Dec-88 204.503

S3

NSDD 145, SEP 17, 1984,  
DOD 5210.74

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

The definition of "sensitive information" in DFARS 204.501 and 252.204-7008(a) is derived from the Computer Security Act of 1987. This definition may need to be altered on the basis of DoD's implementation of the Procurement Integrity Act. See Clause 252.270-7309.

252.205-7000

RELEASE OF INFORMATION TO  
COOPERATIVE AGREEMENT  
HOLDERS

Feb-89 205.470(c)

S2

10 USC 2416, PL 99-500,  
PL 99-591, PL 100-456

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.208-7000

REQUIRED SOURCES FOR  
MINIATURE AND INSTRUMENT  
BALL BEARINGS

Jun-71

208.7303(a)

S3

NSDD 47, Nat'l Sec. Act  
50 USC 404, EO 11490  
updated by 11921 and  
12656, DPA 50 USC  
APP2061, Def. MOB Order  
II, 44 CFR part 321

M - A

CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): 0

## \* RATIONALE \*

Conflicts with trade policies and MOUs with allies. Many exemptions and waivers. Question whether the restrictions can be enforced.

## \* REMARKS \*

Clauses 252.208-7000 to -7003 and -7005 and -7006 could all be combined into one clause, perhaps entitled "Required Sources of Supply." Products could be added or deleted as mobilization requirements change. Clause could have a check-off list for those products that will be part of the end item.

252.208-7001

REQUIRED SOURCES FOR  
PRECISION COMPONENTS FOR  
MECHANICAL TIME DEVICES

Aug-71

208.7403(a)

S3

NSDD 47, Nat'l Sec. Act  
50 USC 404, EO 11490  
updated by 11921 and  
12656, DPA 50 USC  
APP2061, Def. MOB Order  
II, 44 CFR part 321

M - A

CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Conflicts with trade policies and MOUs with allies. Many exemptions and waivers. Question whether the restrictions can be enforced.

## \* REMARKS \*

See remarks at Clause 252.208-7000.

DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.208-7002		REQUIRED SOURCES OF HIGH-PURITY SILICON	Jun-83	208.7503(a)	S3	NSDD 47, Nat'l Sec. Act 50 USC 404, EO 11490 updated by 11921 and 12656, DPA 50 USC APP2061, Def. MOB Order II, 44 CFR part 321	M - A
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CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Conflicts with trade policies and MOUs with allies. Many exemptions and waivers. Question whether the restrictions can be enforced.

\* REMARKS \*

See remarks at Clause 252.208-7000.

252.208-7003		REQUIRED SOURCES FOR HIGH CARBON FERROCHROME(HCF)	Aug-84	208.7603(a)	S3	NSDD 47, Nat'l Sec. Act 50 USC 404, EO 11490 updated by 11921 and 12656, DPA 50 USC APP2061, Def. MOB Order II, 44 CFR part 321	M - A
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CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Conflicts with trade policies and MOUs with allies. Many exemptions and waivers. Question whether the restrictions can be enforced.

\* REMARKS \*

See remarks at Clause 252.208-7000.

252.208-7004		NOTICE OF INTENT TO FURNISH PRECIOUS METALS AS GOVERNMENT-FURNISHED MATERIAL	Oct-85	208.7703(a)	NS	DODD 4160.22, DODI 4140.41	M - A
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

This is a recycling program. The Government furnishes the

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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precious metals only when cost-effective. Seems a sensible policy, provided Government accounting reflects true costs.

252.208-7005		REQUIRED SOURCES FOR FORGING AND WELDING SHIPBOARD ANCHOR CHAIN ITEMS USED FOR MILITARY APPLICATIONS FOR COMBAT AND DIRECT COMBAT SUPPORT ITEMS	Jun-85	208.7803	S3	NSDD 47, Nat'l Sec. Act 50 USC 404, EO 11490 updated by 11921 and 12656, DPA 50 USC APP2061, Def. MOB Order II, 44 CFR part 321	M - A
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CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

This clause protected one domestic manufacturer. Canadian firm has now entered market. See remarks at Clause 252.208-7000.

## \* REMARKS \*

52.208-7006		REQUIRED SOURCES FOR ANTI-FRICTION BEARINGS	Aug-88	208.7903	S3	NSDD 47, Nat'l Sec. Act 50 USC 404, EO 11490 updated by 11921 and 12656, DPA 50 USC APP2061, Def. MOB Order II, 44 CFR part 321	M - A
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CONCLUSION CODE(S): I Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Conflicts with trade policies and MOUs with allies. Many exemptions and waivers. Question whether the restrictions will be enforced.

## \* REMARKS \*

Clauses 252.208-7000 to -7003 and -7005 and -7006 could all be combined into one clause, perhaps entitled "Required Sources of Supply." Products could be added or deleted as mobilization requirements change. Clause could have a check-off list for those products that will be part of the end item. This requirement expires in 1991.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.209-7000		CERTIFICATION OR DISCLOSURE OF OWNERSHIP OR CONTROL BY A FOREIGN GOVERNMENT THAT SUPPORTS TERRORISM	Nov-87	209.170-4	S1	10 USC 2327(a)	N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

This should be a FAR clause applicable Government-wide.

\* REMARKS \*

252.209-7001

ACQUISITIONS FROM DEFENSE CONTRACTORS SUBJECT TO ON-SITE INSPECTION UNDER THE INF TREATY

209.103(S-71)

Jun-88

NS

DoD Departmental Letter 88-14 6 June 88

R - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

\* REMARKS \*

252.210-7000

BRAND NAME OR EQUAL

Apr-73

210.004(b)(3)(ii)(B)

NS

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

Should be a FAR clause. GSA 552.210-74 is almost identical to the DoD clause. DOT and NASA also have these clauses.

\* REMARKS \*

252.210-7001

AVAILABILITY OF DESCRIPTIONS LISTED IN DOD 5010.12-L

Sep-87 210.011(S-70)

NS

DOD 5010.12-L

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Supplements FAR Clause 52.210-2, which should be a DFARS

\* REMARKS \*

Eliminate 52.210-2 from FAR and rewrite as DFARS clause,

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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clause.

covering information in 252.210-7001 as well.

252.210-7002

AVAILABILITY OF SPECIFICATIONS AND STANDARDS NOT LISTED IN DODISS, DATA ITEM DESCRIPTIONS NOT LISTED IN DOD 5010.12-L, AND PLANS, DRAWINGS, AND OTHER PERTINENT DOCUMENTS

Sep-87 210.011(S-71)

NS DOD 5010.12-L

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

Orderers need this information.

\* REMARKS \*

See 252.210-7003.

252.210-7003

AVAILABILITY FOR EXAMINATION OF SPECIFICATIONS, STANDARDS, PLANS, DRAWINGS, DATA ITEM DESCRIPTIONS, AND OTHER PERTINENT DOCUMENTS

Jun-77 210.011(S-71)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

This could be combined with 252.210-7002, which could cover both situations with appropriate rewording.

\* REMARKS \*

252.210-7004

BILL OF MATERIALS

Apr-55 210.011(S-72)

NS

R - A

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Unclear why DoD is the only agency that has a clause requiring a Bill of Materials, although it does indirectly

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
support 10 USC 2451, Defense Supply Management. This could be a data item description instead of a clause, or it can appear in the statement of work.							

252.210-7005		ACQUISITION STREAMLINING	Apr-88	210.011(S-73)	S3	DODD 5000.43, MIL-HDBK 248, 10 USC 2301	M - A
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CONCLUSION CODE(S): Q

\* RATIONALE \*

This should be a data item description or appear in the statement of work.

RECOMMENDATION CODE(S): EC

\* REMARKS \*

252.212-7000		EXCLUSION OF PERIODS IN COMPUTING COMPLETION SCHEDULES	Jan-65	212.102(b)	NS		N -
--------------	--	--------------------------------------------------------	--------	------------	----	--	-----

CONCLUSION CODE(S): I

\* RATIONALE \*

The prescription requires that the clause be inserted in solicitations only. The language of the clause is clearly applicable to contracts also.

RECOMMENDATION CODE(S): EI

\* REMARKS \*

Prescribe the clause for contracts as well as solicitations.

252.214-7001		DOMESTIC SOURCE RESTRICTION	Aug-87	214.201-6(S-70)	S3	10 USC 2304(c)(3)	N -
--------------	--	-----------------------------	--------	-----------------	----	-------------------	-----

CONCLUSION CODE(S): OK

\* RATIONALE \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAU SE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.215-7000		AGGREGATE PRICING ADJUSTMENT	Apr-85	215.804-8(S-70)	S3	10 USC 2306a Truth in Negotiations Act	N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

WASA, DOE, and GSA do not use a similar clause. If the clause addresses a real issue, it should be in FAR. If not, it should be eliminated.

## \* REMARKS \*

This clause does not flow down. FAR 52.215-24 and -25 do. Flow down is not required by 10 USC 2301(a)(3).

F R 15.804-2(a)(1)(ii) covers this specific issue and says it in a clear manner. Applicability to subcontractors is not clear.

252.215-7001		IMIP PRODUCTIVITY SAVINGS REWARDS	Jul-87	215.872(f)	S4	10 USC 2301(a)(3), DODD 5000.44, DOD Guide 5000.44-G	M - 1
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CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

## \* RATIONALE \*

Style conventions make clause unnecessarily long and difficult to understand.

## \* REMARKS \*

252.215-7002		AVAILABILITY OF CONTRACTOR RECORDS	Apr-87	215.875	S2	10 USC 2406, PL 99-145 Title IX Part A sect. 917(a)(1), 99 Stat 689	N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.215-7003		COST ESTIMATING SYSTEM REQUIREMENTS	Feb-88	215.811-79	NS		N -

CONCLUSION CODE(S): OK

\* RATIONALE \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

Clause was revised effective 5/1/89 (54 FR 11725 3/22/89). The date of the clause was not changed. NASA, DOE, and GSA have nothing comparable. Remote tie to Truth in Negotiations Act.

2.216-7000		ECONOMIC PRICE ADJUSTMENT-BASIC STEEL, ALUMINUM, BRASS, BRONZE OR COPPER MILL PRODUCTS	Aug-78	216.203(S-70)(a)	NS		N -
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CONCLUSION CODE(S): PW

\* RATIONALE \*

Paragraph (a) of clause refers to "formal advertising."

RECOMMENDATION CODE(S): SL

\* REMARKS \*

If the conditions that required this clause no longer exist in the metals industry, the clause could be eliminated.

52.216-7001		PRICE ADJUSTMENT FOR NONSTANDARD STEEL ITEMS	Aug-78	216.203-(5-70)(b)	NS		N -
-------------	--	-------------------------------------------------	--------	-------------------	----	--	-----

CONCLUSION CODE(S): OK

\* RATIONALE \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

If conditions that required this clause no longer exist in the steel industry, the clause could be eliminated.

52.217-7000		EXERCISE OF OPTION TO FULFILL FOREIGN MILITARY SALES COMMITMENTS	Apr-84	217.208(S-70)(1)	NS		N -
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CONCLUSION CODE(S): Q

\* RATIONALE \*

RECOMMENDATION CODE(S): EC

\* REMARKS \*



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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No new rights or obligations created by clause.

252.217-7001	1	EXERCISE OF OPTION TO FULFILL FOREIGN MILITARY SALES COMMITMENTS - ALTERNATE I	Apr-84	217.208(s-70)(2)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*  
No new rights or obligations created by clause.

\* REMARKS \*

252.217-7100		DEFINITIONS	Apr-84	217.7104(a)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*  
Prescription should say: Insert the clause at FAR 52.202-1.

\* REMARKS \*

252.217-7101		CHANGES	Apr-82	217.7104(a)	NS		N -
--------------	--	---------	--------	-------------	----	--	-----

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK 0

\* RATIONALE \*  
Master ship repair clause for special circumstances.

\* REMARKS \*

Title must be changed, since this is not the regular "Changes" clause.

252.217-7102		EXTRAS	Apr-84	217.7104(a)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*  
Prescription should say: Insert the clause at FAR 52.232-11 (if that clause is not eliminated).

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7103		JOB ORDERS AND COMPENSATION	Apr-85	217.7104(a)	NS		N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*

\* RATIONALE \*

See Clause 252.217-7101.

252.217-7104		INSPECTION AND MANNER OF DOING WORK	Apr-82	217.7104(a)	NS		N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*

\* RATIONALE \*

See clause 252.217-7101

252.217-7105		TITLE	Apr-82	217.7104(a)	NS		N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

See Clause 252.217-7101.

252.217-7106		PAYMENTS	Apr-82	217.7104(a)	S2	10 USC 7521, 10 USC 2307	N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK 0

\* RATIONALE \*

See Clause 252.217-7101.

\* REMARKS \*

Title must be changed, since this is not the regular "Payments" clause.

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DFARS CLAUSES	ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7107		ASSIGNMENT OF CLAIMS	Jan-86	217.7104(a)	NS		N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.232-23.

252.217-7108

BONDS

Apr-82 217.7104(a)

S2

40 USC 270a

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

See Clause 252.217-7101.

252.217-7109

FEDERAL, STATE, LOCAL AND FOREIGN TAXES

Apr-84

NS

217.7104(a)

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 2.229-3, -4, -5, -6, or -7, as applicable (unless -5 is eliminated).

252.217-7110

DEFAULT

Apr-82 217.7104(a)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

See Clause 252.217-7101.



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7116		WALSH-HEALY PUBLIC CONTRACTS ACT	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.222-20.

252.217-7117		EQUAL OPPORTUNITY CLAUSE	Apr-84	217.7104(a)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.222-26.  
FAR clause title is "Equal Opportunity."

252.217-7118		OFFICIALS NOT TO BENEFIT	Apr-84	217.7104(a)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.203-1.

252.217-7119		COVENANT AGAINST CONTINGENT FEES	Apr-84	217.7104(a)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.203-5.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7120		TERMINATION FOR CONVENIENCE OF THE GOVERNMENT	Apr-84	217.7104(a)	NS		N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.249-1 or -2, as applicable.

\* REMARKS \*

252.217-7121

AUTHORIZATION AND CONSENT

Apr-84 217.7104(a)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.227-1.

\* REMARKS \*

252.217-7122

NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT

Apr-84 217.7104(a)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.227-2.

\* REMARKS \*

252.217-7123

RESPONSIBILITY FOR INSPECTION

Apr-84 217.7104(a)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.246-1.

\* REMARKS \*



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CLAU SE NUMBER	ALT	TITLE	DFARS CLAUSES ORIGIN, FLOW DOWN, AND RECOMMENDATIONS			DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7128		CLEAN AIR AND WATER	Apr-84	217.7104(a)	NS					N -
CONCLUSION CODE(S): DF										
* RATIONALE *										
Prescription should say: Insert the clause at FAR 52.223-2.										
252.217-7130		GUARANTEES	Apr-82	217.7104(a)	S2	10 USC 2403(f)				N -
CONCLUSION CODE(S): OK										
* RATIONALE *										
See Clause 252.217-7101.										
252.217-7131		DISCHARGE OF LIENS	Apr-82	217.7104(a)	NS					N -
CONCLUSION CODE(S): OK										
* RATIONALE *										
See Clause 252.217-7101.										
252.217-7132		DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR SHIP REPAIRING	Apr-82	217.7104(a)	S2	29 USC 651-678, 29 CFR 1915, PL 85-742, 33 USC 941, 29 CFR 1910.13				N -
CONCLUSION CODE(S): OK										
* RATIONALE *										
See Clause 252.217-7101.										

RECOMMENDATION CODE(S): EC

\* REMARKS \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*





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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7204		FILING OF PATENT APPLICATIONS	Apr-84	217.7104(b)	NS		N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.227-10.

252.217-7205

CONTRACT SCHEDULE SUBLINE  
 ITEMS NOT SEPARATELY  
 PRICED

NS

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS 52.204-7000 (if that clause is not eliminated).

252.217-7206

REPORTING AND REFUND OF  
 ROYALTIES

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clauses at FAR 52.227-8 and -9, as applicable.

252.217-7207

RIGHTS IN TECHNICAL DATA  
 AND COMPUTER SOFTWARE

NS

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS 52.227-7013.



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7212		CONVICT LABOR	Apr-84	217.7104(b)	NS		N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.222-3.

252.217-7213

PRIORITIES AND  
ALLOCATIONS

May-86 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.212-8.

252.217-7214

UTILIZATION OF LABOR  
SURPLUS AREA CONCERNS

Apr-84 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clauses at FAR 52.220-3 and -4, as applicable.

252.217-7215

LIMITATION ON WITHHOLDING  
OF PAYMENTS

Apr-84 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.232-9.





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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7225		ADVANCE PAYMENTS	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.232-12.

\* REMARKS \*

252.217-7226		REQUIRED SOURCES FOR JEWEL BEARINGS AND RELATED ITEMS	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.208-1.

\* REMARKS \*

252.217-7227		REQUIRED SOURCES FOR MINIATURE AND INSTRUMENT BALL BEARINGS	Jul-71	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at DFARS 252.208-7000.

\* REMARKS \*

252.217-7228		INTEREST	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 2.232-17.

\* REMARKS \*







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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7238		MATERIAL INSPECTION AND RECEIVING REPORT	Dec-69	217.7104(b)	NS		N -
CONCLUSION CODE(S): DD							RECOMMENDATION CODE(S): EC
* RATIONALE *							* REMARKS *
Prescription should say: Insert the clause at DFARS 252.246-7000.							
252.217-7239		PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT, AND VEGETATION	Apr-84	217.7104(b)	NS		N -
CONCLUSION CODE(S): DF							RECOMMENDATION CODE(S): EC
* RATIONALE *							* REMARKS *
Prescription should say: Insert the clause at FAR 52.237-2.							
252.217-7240		GOVERNMENT DELAY OF WORK	Apr-84	217.7104(b)	NS		N -
CONCLUSION CODE(S): DF							RECOMMENDATION CODE(S): EC
* RATIONALE *							* REMARKS *
Prescription should say: Insert the clause at FAR 52.212-15.							
252.217-7241		OVERSEAS DISTRIBUTION OF DEFENSE SUBCONTRACTS	Aug-86	217.7104(b)	NS		N -
CONCLUSION CODE(S): DD							RECOMMENDATION CODE(S): EC
* RATIONALE *							* REMARKS *
Prescription should say: Insert the clause at DFARS 252.204-7005.							

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

[illegible]

252.217-7242	SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES	Jul-86	217.7104(b)
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CONCLUSION CODE(S): DD	RECOMMENDATION CODE(S): EC
	* REMARKS *

Prescription should say: Insert the clauses at DFARS 252.223-7001 and -7002.

252.217-7243	COST ACCOUNTING STANDARDS	Sep-87	217.7104(b)
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CONCLUSION CODE(S): DF

* RATIONALE *	* REMARKS *

Prescription should say: Insert the clauses at FAR 52.230-3 and -4 (unless the latter is eliminated).

252.217-7244 NOTIFICATION OF CHANGES Apr-84 217.7104(b)

CONCLUSION CODE(S): DF	RECOMMENDATION CODE(S): EC
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* RATIONALE *	* REMARKS *

'prescription should say: Insert the clause at FAR 52.243-7 (if this clause is not eliminated).

252.217-7245  
ENGINEERING CHANGE  
PROPOSALS (ECP'S)  
Aug-85 217.7104(b)

CONCLUSION CODE(S): DD	RECOMMENDATION CODE(S): EC	* REMARKS *

**Prescription should say: Insert the clause at DFARS 252.243-7000.**

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7246		CHANGE ORDER ACCOUNTING	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.243-6.

252.217-7247		CONTRACTS CONDITIONED UPON THE AVAILABILITY OF FUNDS	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.232-18  
or -19.

252.217-7248		PREFERENCE FOR DOMESTIC SPECIALITY METALS	Oct-80	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS  
252.225-7012 (if this clause is not eliminated).

252.217-7249		PREFERENCE FOR UNITED STATES FLAG AIR CARRIERS	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR  
52.247-63.

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7250

EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS

NS

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS 52.225-7019.

252.217-7251

HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.223-3.

252.217-7252

CERTIFICATION OF REQUESTS FOR ADJUSTMENT OR RELIEF EXCEEDING \$100,000

NS

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS 52.233-7000.

252.217-7253

QUALIFYING COUNTRY SOURCES AS SUBCONTRACTORS

NS

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS 52.225-7002 (if this clause is not eliminated).

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7254

STOP WORK ORDERS

Apr-84 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.212-13.

\* REMARKS \*

252.217-7255

SUBCONTRACTOR COST OR  
PRICING DATA -  
MODIFICATIONS- SEALED  
BIDDING

Apr-85 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.214-22.

\* REMARKS \*

Currently, FAR defective pricing clauses are wrongly paired.

252.217-7256

SUBCONTRACTOR COST OR  
PRICING DATA

Apr-85 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.215-24.

\* REMARKS \*

Currently, FAR defective pricing clauses are wrongly paired.

252.217-7257

NOTICE OF TOTAL SMALL  
BUSINESS SET-ASIDE

Apr-84 217.7104(b)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Prescription should say: Insert the clause at FAR 52.219-6.

\* REMARKS \*



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7262		CLAUSES INCORPORATED BY REFERENCE	Jun-88	217.7104(b)	NS		N -
CONCLUSION CODE(S): DF							
* RATIONALE *							
Prescription should say: Insert the clause at FAR 52.252-2.							
252.217-7263		AGGREGATE PRICING ADJUSTMENT	Apr-85	217.7104(b)	NS		N -
CONCLUSION CODE(S): DD							
* RATIONALE *							
Prescription should say: Insert the clause at DFARS 52.215-7000 (if that clause is not eliminated).							
52.217-7264		SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS SUBCONTRACTING PLAN (DOD CONTRACTS)	Jun-88	217.7104(b)	NS		N -
CONCLUSION CODE(S): DD							
* RATIONALE *							
Prescription should say: Insert the clause at DFARS 52.219-7000.							
52.217-7265		RESTRICTIVE MARKINGS ON TECHNICAL DATA	Apr-88	217.7104(b)	NS		N -
CONCLUSION CODE(S): DD							
* RATIONALE *							
Prescription should say: Insert the clause at DFARS 52.227-7018.							



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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.217-7266		IDENTIFICATION OF TECHNICAL DATA	Apr-88	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* REMARKS \*

\* RATIONALE \*

Prescription should say: Insert the clause at DFARS  
 252.227-7029.

252.217-7267		DATA REQUIREMENTS	Apr-88	217.7104(b)	NS		N -
--------------	--	-------------------	--------	-------------	----	--	-----

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at DFARS  
 252.227-7031.

252.217-7268		CERTAIN COMMUNIST AREAS	Apr-84	217.7104(b)	NS		N -
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CONCLUSION CODE(S): DD DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Prescription should say: Insert the clause at FAR 52.225-11 See also 252.217-7114.

252.217-7269		PLANT PROTECTION	Aug-85	217.7104(b)	NS		N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

See Clause 252.217-7101.

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## DFARS CLAUSES

## ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

## FLOW DOWN AND LEVEL

10 USC 2384(a)

RECOMMENDATION CODE(S): SL

\* REMARKS \*

graph "(b)"

Apr-67 217.7301-5(a)(1)

RECOMMENDATION CODE(S): EC

\* REMARKS \*

Apr-67 217.7301-5(a)(2)

RECOMMENDATION CODE(S): EC

\* REMARKS \*

Apr-67 217.7301-5(a)(2)

RECOMMENDATION CODE(S): EC

**\* RATIONALE \***

**text.**



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7304	1	REMEDIES UNDER DELIVERY ORDERS - ALTERNATE I	Apr-67	217.7301-5(a)(5)	NS		N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

## \* RATIONALE \*

Duplicates material in FAR 52.216 and associated text.

252.217-7305		EXAMINATION AND TESTING	Aug-85	217.7301-5(b)(1)	NS		N -
--------------	--	-------------------------	--------	------------------	----	--	-----

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Should be in specifications, not a clause.

252.217-7306		DEFICIENCY ADJUSTMENT	Dec-69	217.7301-5(b)(2)	NS		N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK 0

## \* RATIONALE \*

Clauses 252.217-7306 through -7310 are related to performance problems under dairy contracts. Most are short and to the point. They could be combined into one clause or one clause and one alternate.

252.217-7307		WARNING	Dec-69	217.7301-5(b)(3)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

See 252.217-7306 remarks.

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAU SE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7308		SUSPENSION	Dec-69	217.7301-5(b)(4)	NS		N -

CONCLUSION CODE(S): Q

☆ RATIONALE ☆  
See 252.217-7306 remarks.

252.217-7308	1	SUSPENSION - ALTERNATE I	Dec-69	217.7301-5(b)(4)	NS
					N -

CONCLUSION CODE(S): Q

\* RATIONALE \*

See 252.217-7306 remarks.

252.217-7309	DEFAULT	Dec-69	217.7301-5(b)(5)	NS	N -
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CONCLUSION CODE(S): Q

\* RATIONALE \*

252.217-7310	REINSTATEMENT	Dec-69	217.7301-5(b)(6)	NS	N -

CONCLUSION CODE(S): Q

★ RATIONALE ★  
See 252.217-7306 remarks.

252.217-7311	CODE	DATING	NS	N -
	Apr-67	217.7301-5(c)	NS	

CONCLUSION CODE(S): Q

\* RATIONALE \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAU SE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.217-7312		MARKING	Apr-67	217.7301-5(d)	NS		N -

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC
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* RATIONALE *	* REMARKS *
Should be in specifications, not a clause.	

252.217-7313	RESPONSIBILITY FOR CONTAINERS AND EQUIPMENT	NS	N -
	Apr-67	217.7301-5(e)	

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC
* REMARKS *	

Should be in specifications, not a clause.

252.217-7314	CONTAINERS AND EQUIPMENT	Apr-67	217.7301-5(f)	NS	N -
	CONCLUSION CODE(S): Q				RECOMMENDATION CODE(S): EC

* RATIONALE *	* REMARKS *
should be in specifications, not a clause.	

252.219-7000

SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS SUBCONTRACTING PLAN (DOD CONTRACTS)	Jun-88	219.708(b)	S1	15 USC 637(d)(4)	R - 1
----------------------------------------------------------------------------------------------	--------	------------	----	------------------	-------

CONCLUSION CODE(S): PW	RECOMMENDATION CODE(S): SL

	* RATIONALE *	* REMARKS *
19.706	assigns responsibility for approval to ACO.	Eliminate paragraph (b).
	Paragraph (b) is not needed.	

		DFARS CLAUSES ORIGIN, FLOW DOWN, AND RECOMMENDATIONS						
CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL	
252.219-7001		NOTICE OF COMBINED SMALL BUSINESS-LABOR SURPLUS AREA SET-ASIDE	Apr-85	219.502-70(d)(1)	S3	15 USC 644(g), PL 99-661 sect 1207, PL 100-180 sect 806, 10 USC 2392	N -	
		CONCLUSION CODE(S): DD PW		RECOMMENDATION CODE(S): ED SL				
		* RATIONALE *		* REMARKS *				
		Rather than following usual procedure and providing language to be added to or substituted for specific language in the basic clause, -7002 repeats much of -7001. In both clauses, paragraph (b), "Definitions" repeats definitions from the regulations; Groups 1 and 2 under (c)(2) and "General Rules," (c)(3)(i), are different; and (c)(4) in -7002 "Determining the LSA Set Aside Quantity" is not in -7001. "Requirements Contracts Discussion," paragraph (f) of each clause, should be moved to 216.503 and deleted from clauses.		Rewrite by LMI has been developed to simplify and reduce duplication.				
252.219-7002		NOTICE OF COMBINED SMALL BUSINESS-LABOR SURPLUS AREA SET-ASIDE--ALTERNATE	Apr-85	219.502-70(d)(2)	S3	PL 99-661 sect 1207, PL 100-180 sect 806, 10 USC 2392	N -	
		CONCLUSION CODE(S): DD PW		RECOMMENDATION CODE(S): ED SL				
		* RATIONALE *		* REMARKS *				
		See rationale on 252.219-7001.		LMI has developed a rewrite as an alternate to 252.219-7001.				
252.219-7003		DETERMINING THE SET-ASIDE AWARD PRICE	Apr-85	219.508(d)	S3	15 USC 644	N -	
		CONCLUSION CODE(S): DD PW		RECOMMENDATION CODE(S): ED SL				
		* RATIONALE *		* REMARKS *				
		's duplicated by 252.219-7011. Paragraphs (b) and (c) should be pulled from clause and put into 219.502-70(c) and (d).		Rewrite of 219.502-70 and 252.219-7003 has been developed by LMI to simplify and reduce duplication.				

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.219-7004

ELIGIBILITY FOR  
PREFERENCE AS A LABOR  
SURPLUS AREA CONCERN

Apr-85 219.508(S-70)

S3

15 USC 644

N -

CONCLUSION CODE(S): DF I

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Virtual duplicate of 52.220-1. There are internal inconsistencies in the two clauses that could be reconciled so that a single FAR clause could be used.

## \* REMARKS \*

Eliminate DFARS clause by revising FAR clause to eliminate inconsistencies.

252.219-7005

SDB CONCERN  
REPRESENTATION (DFARS  
DEVIATION)

Jun-88 219.304(b)

S3

PL 99-661 sect 1207, PL  
100-180 sect 806, 10 USC  
2301(f)

N -

CONCLUSION CODE(S): DF O

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

DoD has authorization to use this instead of FAR 52.219-2. Major differences are (1) definitions of SDB; FAR uses the 13 CFR 124 definition and DFARS uses it and words taken from PL 99-661 sect 1207; (2) DFARS asks for a representation and certification and includes a penalty for misrepresentation. PL 100-656, 15 USC 645(d), appears to supersede the penalties in PL 99-661. See 13 CFR 124.6 which applies to all agencies. The law is applicable with and without a contract clause. Hence, there is no need to list the penalties in a clause. 13 CFR 124 definitions have been changed. FAR is being changed to reflect the new definitions.

## \* REMARKS \*

Rewrite FAR 52.219-2 reconciling differences.



DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.219-7006		NOTICE OF TOTAL SMALL DISADVANTAGED BUSINESS SET-ASIDE	Feb-88	219.508(S-71)(1)	S3	15 USC 644(a), and (g) PL 99-661 sect 1207, PL 100-180 sect 806	N -
--------------	--	--------------------------------------------------------	--------	------------------	----	-----------------------------------------------------------------	-----

CONCLUSION CODE(S): 0

RECOMMENDATION CODE(S): 0

\* RATIONALE \*

\* REMARKS \*

On August 21, 1989 SBA issued new regulations (13 CFR 124) governing the 8(a) program. See 54 FR 34691. The new regulations are largely based on recent statutes. Among other things, 8(a) set-asides are established and the definition of an SDB has been changed. FAR coverage of this material is a certainty.

The Federal Government should have one approach to SDB/8(a) set-asides. Since 8(a) set-asides are required Government-wide, DoD's use of SDB set-asides should be reconciled with the Government-wide policy. Rewrite to conform to new SBA policy. Consider, in the process, whether DFARS clause could be eliminated if a uniform policy on SDBs is adopted.

252.219-7006	1	NOTICE OF TOTAL SMALL DISADVANTAGED BUSINESS SET-ASIDE - ALTERNATE I	Feb-88	219.508(S-71)(2)	S3	15 USC 644(a), PL 99-661 sect 1207, PL 100-180 sect 806	N -
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CONCLUSION CODE(S): 0

RECOMMENDATION CODE(S): 0

\* RATIONALE \*

\* REMARKS \*

See basic clause.

See basic clause.

252.219-7007		NOTICE OF EVALUATION PREFERENCE FOR SMALL DISADVANTAGED BUSINESS CONCERNS (UNRESTRICTED)	Nov-88	219.7002	S2	15 USC 637(a)(14)(A) and (C), PL 99-661 sect 1207, PL 100-180 sect 806	N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.219-7009

INCENTIVE PROGRAM FOR  
 SUBCONTRACTING WITH SMALL  
 AND SMALL DISADVANTAGED  
 BUSINESS CONCERNS,  
 HISTORICALLY BLACK  
 COLLEGES AND UNIVERSITIES  
 AND MINORITY INSTITUTIONS

Jun-88 219.708(c)(1)

S2

PL 100-180 sect 806(b)

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.219-7009

1 INCENTIVE PROGRAM FOR  
 SUBCONTRACTING WITH SMALL  
 AND SMALL DISADVANTAGED  
 BUSINESS CONCERNS,  
 HISTORICALLY BLACK  
 COLLEGES AND UNIVERSITIES  
 AND MINORITY INSTITUTIONS  
 - ALTERNATE I

Jun-88 219.708(c)(1)

S2

PL 100-180 sec 806(b)

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.219-7010

NOTICE OF PARTIAL SMALL  
 BUSINESS SET-ASIDE WITH  
 PREFERENTIAL  
 CONSIDERATION FOR SMALL  
 DISADVANTAGED BUSINESS  
 CONCERNS

Jun-88 219.508(S-72)

S3

PL 99-661 sect 1207, PL  
100-180 sect 806

N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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LMI has developed a rewrite.

252.219-7011

DETERMINING THE SET-ASIDE  
AWARD PRICE  
(PREFERENTIAL SMALL  
DISADVANTAGED BUSINESS  
CONSIDERATION)

Feb-88 219.508(S-73)

S3

15 USC 644

N -

CONCLUSION CODE(S): DD PW

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Duplicates 252.219-7003. Paragraphs (b) and (c) can be pulled from clause and put in 219.502-70(c) and (d).

\* REMARKS \*

252.219-7012

SMALL BUSINESS CONCERN  
REPRESENTATION FOR THE  
SMALL BUSINESS  
COMPETITIVENESS  
DEMONSTRATION PROGRAM

Jan-89 219.1071(a)

S3

PL 100-656, Title VII  
sect. 711

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

\* RATIONALE \*

This clause appears to have Government-wide application.

Develop a FAR clause.

\* REMARKS \*

252.219-7013

NOTICE OF EMERGING SMALL  
BUSINESS SET-ASIDE

Jan-89 219.1071(b)

S3

PL 100-656 Title VII  
sect. 712(b)

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

\* RATIONALE \*

This clause appears to have Government-wide application.

Develop a FAR clause.

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.219-7014		SMALL BUSINESS SIZE REPRESENTATION FOR TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM	Jan-89	219.1071(d)	S3	PL 100-656 Title VII sects. 711,712	N -
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CONCLUSION CODE(S): O

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

## \* REMARKS \*

This clause appears to have Government-wide application. Develop a FAR clause.

252.220-7000

NOTICE OF LABOR SURPLUS AREA SET-ASIDE

Apr-85 220.7003(b)(2)(i)

S3

15 USC 644, 10 USC  
 2301(c), PL 99-661 sect  
 1207, PL 100-180 sect  
 806, 10 USC 2392

N -

CONCLUSION CODE(S): DD PW

RECOMMENDATION CODE(S): ED SL

## \* RATIONALE \*

## \* REMARKS \*

Much more detailed than FAR 52.220-2 dealing with total LSA set-aside. The procedures in this clause for the most part duplicate those of 252.219-7001. See rationale for 252.219-7001.

Rewrite of this clause has been developed by LMI.

252.220-7001

NOTICE OF LSA SET-ASIDE --ALTERNATE

Apr-85 220.7003(b)(2)(ii)

S3

15 USC 644, 10 USC  
 2301(c), PL 99-661 sect  
 1207, PL 100-180 sect  
 806, 10 USC 2392

N -

CONCLUSION CODE(S): DD PW

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

## \* REMARKS \*

See rationale for 252.220-7000. Duplicates much of 252.220-7000.

See remarks for 252.220-7000. Make this clause Alternate I to 252.220-7000.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.222-7002		RESTRICTIONS ON EMPLOYMENT OF PERSONNEL	Jan-86	222.7202	S1	Section 8078 of the 1986 Defense Appropriations Act, PL 98-190, and subsequent Defense Appropriations Acts (including Section 8120 of PL 100-463)	M - A

CONCLUSION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

Applies only to construction and service contracts in Alaska and Hawaii.

RECOMMENDATION CODE(S): OK

252.223-7001		SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES	Mar-88	223.7002(a)	NS	DOD Manual 4145.26-M	M - A
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CONCLUSION CODE(S): OK

\* RATIONALE \*

45 STAT 928, 10 USC 172 creates board to oversee safety for ammo and explosives; authority flows from this 1928 act.

RECOMMENDATION CODE(S): OK

\* REMARKS \*

Case changing clause was DAR case 85-16.

252.223-7002		CHANGE IN PLACE OF PERFORMANCE - AMMUNITION AND EXPLOSIVES	Jul-86	223.7002(c)	NS		N -
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CONCLUSION CODE(S): OK

\* RATIONALE \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*

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| DFARS CLAUSES |

| ORIGIN, FLOW DOWN, AND RECOMMENDATIONS |

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CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.223-7004		HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA	Jul-89	223.7203(a)	S2	29 CFR 1910.1200: OSHA regulations require notification to Govt. employees of possible exposure to hazards.	N -
--------------	--	------------------------------------------------------------	--------	-------------	----	-------------------------------------------------------------------------------------------------------------	-----

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): EI

## \* RATIONALE \*

## \* REMARKS \*

FAR clause (52.223-3) essentially the same except for treatment of data rights. New DFARS clause eliminates FAR protection of contractor data for acquisition or manufacturing purposes if data are marked with legend. DFARS clause precludes this protection in lieu of standard DoD data rights policy.

Policy difference on data rights for reprourement purposes -- may be reconcilable. Title of clause must be changed to distinguish this clause from the FAR clause of the same title.

252.223-7005

NOTICE OF RADIOACTIVE MATERIALS

Aug-89

223.7301

S2

Title 10 CFR (Atomic Energy Act), OMB 0704-0193

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

Required pursuant to other agency regulations.

CO must specify number of days before pre-delivery notification.

252.223-7500

DRUG-FREE WORK FORCE

Sep-88

223.7504

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): ED

## \* RATIONALE \*

## \* REMARKS \*

This clause is included in contracts that already have the Government-wide FAR Clause 52.223-6, Drug-Free Work Place. Its coverage is essentially identical to that of 52.223-6 except that it requires a program for testing for the use of illegal drugs by employees in sensitive positions. This

Eliminate duplication.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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clause could be rewritten to include only this additional requirement.

252.225-7000

BUY AMERICAN - BALANCE OF  
PAYMENTS PROGRAM  
CERTIFICATE

Oct-80 225.109(a)(S-70)

S2

EO 10582 as amended, (PL  
428, 41 USC 10),  
Presidential Directive  
Nov 16, 1960, PL 100-418,  
OMB Circular A-20 revised

R - A

CONCLUSION CODE(S): DF DD

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

The DFARS clause states that it is to be used in lieu of 2 FAR clauses. The DFARS clause is more complex because it accounts for supplies bought due to offset agreements.

## \* REMARKS \*

There are 3 main FAR clauses, each with a related certificate. The 3rd FAR clause duplicates the first two. DFARS combines the first 2 FAR clauses into one but it still duplicates the 3rd clause. The DFARS clause does need to be more complicated. Merge into 252.225-7005.

252.225-7001

BUY AMERICAN ACT AND  
BALANCE OF PAYMENTS  
PROGRAM

Apr-85 225.109

S2

EO 10582 as amended, (PL  
428, 41 USC 10),  
Presidential Directive  
Nov 16, 1960, PL 100-418,  
OMB Circular A-20 revised

R - A

CONCLUSION CODE(S): DF DD

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

See remarks for 252.225-7000. Merge into 252.225-7005.

## \* REMARKS \*

252.225-7002

QUALIFYING COUNTRY  
SOURCES AS SUBCONTRACTORS

Oct-80 225.109(d)(S-72)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Merge into 252.225-7005.

## \* REMARKS \*

-----  
 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.225-7003		NONDOMESTIC CONSTRUCTION MATERIALS	Oct-66	225.205(S-70)	S3	41 USC 10, PL 100-418	N -
--------------	--	------------------------------------	--------	---------------	----	-----------------------	-----

## CONCLUSION CODE(S): I

## \* RATIONALE \*

FAR has clause for construction (52.225-5), but it is never referenced or called out in DFARS.

## RECOMMENDATION CODE(S): EC

## \* REMARKS \*

The FAR has a Buy American clause for construction materials but DFARS handles it by exemption. DFARS never requires certification of domestic origin of construction materials for inside the United States but only provides the exemption. Construction outside the United States must use domestic products. DoD should use FAR clause.

252.225-7004

IDENTIFICATION OF  
EXPENDITURES IN THE  
UNITED STATES

Oct-66 225.305(c)

NS

R - A

## CONCLUSION CODE(S): Q

## \* RATIONALE \*

Related to Balance of Payments (BOP) but appears to go beyond requirements of program.

## RECOMMENDATION CODE(S): EC

## \* REMARKS \*

This clause is for data collection. The domestic content part duplicates other clauses, and there are no references for where, how, or when the data are to be used. The clause provides, as an alternative, a statement that can be stamped on the face of each request for payment.

252.225-7005

BUY AMERICAN ACT- TRADE  
AGREEMENTS ACT- BALANCE  
OF PAYMENTS PROGRAM  
CERTIFICATE

May-86 225.407(a)(1)

S2

R - A

PL 428, 41 USC 10, EO  
10582, Presidential  
Directive Nov 16, 1960,  
PL 96-39, 19 USC  
2501-2582, OMB Circular  
A-20 revised

## CONCLUSION CODE(S): DD DF

## RECOMMENDATION CODE(S): OK O

## \* RATIONALE \*

Is duplicated by earlier clauses, but this one is more comprehensive and should be kept.

## \* REMARKS \*

This is clear and in good format. However, title must be changed to distinguish from FAR clause with same title.



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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.225-7006		BUY AMERICAN ACT, TRADE AGREEMENTS ACT, AND THE BALANCE OF PAYMENTS PROGRAM	May-86	225.407(a)(2)	S2	PL 428, 41 USC 10, EO 10582, Presidential Directive Nov 16, 1960, PL 96-39, 19 USC 2501-2582	R - A
--------------	--	-----------------------------------------------------------------------------	--------	---------------	----	----------------------------------------------------------------------------------------------	-------

CONCLUSION CODE(S): DD DF

RECOMMENDATION CODE(S): SL ED O

## \* RATIONALE \*

See rationale for 252.225-7005.

## \* REMARKS \*

This basic clause should pull together all the controlling legislation into one clause. Also, title must be changed to distinguish from clause with virtually the same title.

252.225-7007

SUPPLIES TO BE ACCORDED DUTY-FREE ENTRY

Apr-88 225.605

S3 19 USC 1202, 19 USC 2701 and 2703, 19 USC 1309

R - A

CONCLUSION CODE(S): DF DD

RECOMMENDATION CODE(S): ED SL

## \* RATIONALE \*

There are one FAR clause (52.225-10) and three related DFARS clauses (252.225-7007, -7008, and -7014). The prescriptions are unclear. There is some duplication among the DFARS clauses. Again, DoD needs more detail in its clauses to account for qualifying countries.

## \* REMARKS \*

There should be one comprehensive DFARS clause.

252.225-7008

DUTY-FREE ENTRY - QUALIFYING COUNTRY END PRODUCTS AND SUPPLIES

Aug-84 225.605

S3 19 USC 1202, 19 USC 2701 and 2703, 19 USC 1309, PL 96-39, 19 USC 2501-2582

M - A

CONCLUSION CODE(S): DF DD

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

See Clause 252.255-7007.

## \* REMARKS \*

Merge into 252.225-7007.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.225-7009		PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES	Oct-80	225.7002(b)	S1	PL 77-29 (food and clothing), PL 82-488 (fabrics), and subsequent Appropriation Acts	R - A
--------------	--	---------------------------------------------	--------	-------------	----	--------------------------------------------------------------------------------------	-------

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK O

\* RATIONALE \*

\* REMARKS \*

Combine Clauses 252.225-7009 through -7013 and -7023 and -7024 into one clause on domestic preference. (These are all appropriations act restrictions.) Move to Part 208 for consistency.

252.225-7010		DOMESTIC WOOL PREFERENCE	Jul-88	225.7002(c)(3)	S4	PL 82-488 and subsequent appropriations acts	R - A
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CONCLUSION CODE(S): DD PW

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

This clause duplicates the statutory provision in 252.225-7009 to use domestic fabrics. It is bizarre in the level of detail included.

\* REMARKS \*

Eliminate or at least simplify. See remarks for 252.225-7009.

252.225-7011		PREFERENCE FOR DOMESTIC SPECIALTY METALS (MAJOR PROGRAMS)	Oct-88	225.7002(d)(1)	S1	PL 92-570 and subsequent appropriations acts	R - A
--------------	--	-----------------------------------------------------------	--------	----------------	----	----------------------------------------------	-------

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

This clause reads almost word for word the same as 252.7012.

See remarks for 252.225-7009.

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| DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.225-7012		PREFERENCE FOR DOMESTIC SPECIALTY METALS	Oct-80	225.7002(d)(2)	S1	PL 92-570 and subsequent appropriations acts	R - A
				CONCLUSION CODE(S): DD		RECOMMENDATION CODE(S): EC	
				* RATIONALE *		* REMARKS *	
				Duplicates 252.225-7011.			
				See remarks for 252.225-7009.			
252.225-7013		PREFERENCE FOR DOMESTIC HAND OR MEASURING TOOLS	Apr-84	225.7003	S1	PL 97-377 and subsequent appropriations acts	R - A
				CONCLUSION CODE(S): Q		RECOMMENDATION CODE(S): EC	
				* RATIONALE *		* REMARKS *	
				This clause is very short and should be included in 252.225-7009 which contains the Berry Amendment, all of which is in one paragraph in the appropriations act.			
				See remarks for 252.225-7009.			
252.225-7014		DUTY-FREE ENTRY - ADDITIONAL PROVISIONS	Sep-84	225.605	S3	19 USC 1202, 19 USC 2701 and 2703, 19 USC 1309	M - A
				CONCLUSION CODE(S): DD		RECOMMENDATION CODE(S): EC	
				* RATIONALE *		* REMARKS *	
				Duplicates most of 252.225-7008.			
				Merge into 252.225-7007.			
252.225-7015		UNITED STATES PRODUCT CERTIFICATE (MILITARY ASSISTANCE PROGRAMS)	Dec-62	225.7205(a)	S2	PL 87-195, 22 USC 2301 et seq., 22 USC 2354	R - A
				CONCLUSION CODE(S): DD Q		RECOMMENDATION CODE(S): EC	
				* RATIONALE *		* REMARKS *	
				Does not require offeror to sign or return anything.			
				Clause 252.225-7016 is adequate.			

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.225-7016		UNITED STATES PRODUCTS (MILITARY ASSISTANCE PROGRAM)	Dec-62	225.7205(b)	S2	PL 87-195, 22 USC 2301 et seq., 22 USC 2354	R - A
CONCLUSION CODE(S): OK							
* RATIONALE *							
See Clause 252.225-7016.							
252.225-7017		LIMITATION OF SALES COMMISSIONS AND FEES FOR FOREIGN GOVERNMENTS	Oct-80	225.7305(f)	S2	DOD Manual 5105.38-M, 12 USC 2779	N -
CONCLUSION CODE(S): OK							
* RATIONALE *							
RECOMMENDATION CODE(S): OK							
252.225-7018		OFFSET ARRANGEMENT	Oct-80	225.7310(c)(4)	S3	10 USC 2505	M - A
CONCLUSION CODE(S): OK							
* RATIONALE *							
RECOMMENDATION CODE(S): OK							
252.225-7019		EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENT	Jan-77	225.7312	S1	22 USC 2755	N -
CONCLUSION CODE(S): OK							
* RATIONALE *							
RECOMMENDATION CODE(S): OK							

\* REMARKS \*

Clause seldom used. Government is reviewing offset policy.

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.225-7020		OPTION TO AWARD AND PAY IN FOREIGN CURRENCY	Apr-74	225.7602(a)	S3	OMB Circular A-20 revised	N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Clause should be merged into 252.225-7021.

Related to the Balance of Payments Program.

252.225-7021		ACQUISITION AND USE OF EXCESS AND NEAR EXCESS CURRENCY	Dec-67	225.7608	S3	OMB Circular A-20 revised	N -
--------------	--	--------------------------------------------------------	--------	----------	----	---------------------------	-----

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.225-7020.

When clause is combined with 252.225-7020, the result should be covered under 252.225-7006.

252.225-7022		CERTIFICATION AND AGREEMENT BY CONTRACTORS CURRENTLY PRODUCING PETROLEUM PRODUCTS IN ANGOLA	Apr-87	225.704(s-70)	S1	PL 99-661, 10 USC 2304 note	R - A
--------------	--	---------------------------------------------------------------------------------------------	--------	---------------	----	-----------------------------	-------

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.225-7023		RESTRICTION ON ACQUISITION OF FOREIGN MACHINE TOOLS	Jan-89	225.7008(d)	S1	PL 99-591, 10 USC 2507	R - A
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Restriction expires in 1991. See 252.225-7009.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.225-7024 RESTRICTION ON  
ACQUISITION OF FOREIGN  
VALVES

Jan-89 225.7012(e) S1 PL 100-456, 10 USC 2507 R - A

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Restriction expires in 1991. See 252.225-7009.

252.225-7028

NOTICE OF PROHIBITION OF  
CERTAIN CONTRACTS WITH  
FOREIGN GOVERNMENTS OR  
FIRMS FOR THE CONDUCT OF  
STRATEGIC DEFENSE  
INITIATIVE RDTE

Mar-89 225.7013(c)

S1 PL 100-180, 10 USC 2431  
note

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Unclear why this appropriations act restriction is a clause  
and the restriction on R&D is not.

SDI appears to be covered by general prohibition on foreign  
R&D in DFARS 225.7007.

252.226-7000

NOTICE OF TOTAL SET-ASIDE  
FOR HISTORICALLY BLACK  
COLLEGES AND UNIVERSITIES  
AND MINORITY INSTITUTIONS

Jun-88 226.7009

S3 PL 99-661 S 1207, PL  
100-180 S 806(d), PL  
100-456 S 844, EO 12320

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

Law applies to FY '87, '88, '89, and '90. DFARS changed by  
DAC 88-10 to agree.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.226-7001		HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS CERTIFICATION	Jun-88	226.7009	S3	PL 99-661 S 1207, PL 100-180 S 806(d), PL 100-456 S 844, EO 12320	N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): EI

## \* RATIONALE \*

DFARS has designated this as a contract clause. It applies only prior to award. This is inconsistent with FAR 52.101(a). Under FAR it should be a provision.

\* REMARKS \*

252.227-7000

NON-ESTOPPEL

Oct-66 227.7009-1

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Causes 252.227-7000 through -7012 should be placed in a DoD Directive -- they don't belong in DFARS or in acquisition contracts, because they do not pertain to the acquisition of goods or services. They are used in patent releases, license agreements, and assignments.

\* REMARKS \*

252.227-7001

RELEASE OF PAST INFRINGEMENT

Aug-84 227.7009-2(a)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

See 252.227-7000





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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7006

LICENSE GRANT - RUNNING  
ROYALTY

Aug-84 227.2009-4(a)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

\* RATIONALE \*

See 252.227-7000

252.227-7007

LICENSE TERM - RUNNING  
ROYALTY

Aug-84 227.7009-4(b)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

\* RATIONALE \*

See 252.227-7000

252.227-7008

COMPUTATION OF ROYALTIES

Aug-84 22.7009-4(c)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.227-7000

252.227-7009

REPORTING AND PAYMENT OF  
ROYALTIES

Aug-84 227.7009-4(d)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

\* RATIONALE \*

See 252.227-7000

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7010		LICENSE TO OTHER GOVERNMENT AGENCIES	Aug-84	227.7009-4(e)	NS		N -
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CONCLUSION CODE(S): Q  
 \* RATIONALE \*  
 RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

See 252.227-7000

252.227-7011		ASSIGNMENTS	Aug-84	227.7010	NS		N -
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CONCLUSION CODE(S): Q  
 \* RATIONALE \*  
 RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

See 252.227-7000

252.227-7012		PATENT LICENSE AND RELEASE CONTRACT	Aug-84	227.7012	NS		N -
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CONCLUSION CODE(S): Q  
 \* RATIONALE \*  
 RECOMMENDATION CODE(S): EC  
 \* REMARKS \*

See 252.227-7000

252.227-7013		RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE	Oct-88	227.473-1(e), 222.481-2(b)(2)	S2	10 USC 2320, EO 12591, 4/10/87	M - A
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CONCLUSION CODE(S): O PW I  
 RECOMMENDATION CODE(S): SL EI

\* RATIONALE \*  
 \* REMARKS \*

Computer software section outdated. Statute doesn't cover See 52.227-20.

computer software, but clause does. Clause is extremely long. Should consider splitting software and technical data into two clauses. See Packard Commission Report, Appendix I. Executive Order 12591, 4/10/87 requires uniform policy for technical data. See 52.227-14.

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7013	1	RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE - ALTERNATE I	Oct-88	227.475-8	NS		N -
--------------	---	--------------------------------------------------------------	--------	-----------	----	--	-----

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Too specific. Not appropriate for general regulation.  
 Main clause deals only with tech data, Alternate I deals with "any" data.

## \* REMARKS \*

Harvard Deviation (ASPR Case). See also 52.227-20.

252.227-7013

2 RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE - ALTERNATE II

227.479(d)

S4

10 USC 2320, 15 USC 638,  
 SBIR 37 CFR 401

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

See 52.227-20.

252.227-7018

RESTRICTIVE MARKINGS ON TECHNICAL DATA

Oct-88 227.473-3(a)

S3

10 USC 2320(b)(3),  
 2320(b)(5); 10 USC  
 2321(b)

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

252.227-7019

IDENTIFICATION OF RESTRICTED RIGHTS COMPUTER SOFTWARE

Apr-88 227.481-2(b)(2)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK 0

## \* RATIONALE \*

## \* REMARKS \*

FAR 52.227-15 covers both computer software and limited



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DEARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7023

DRAWINGS AND OTHER DATA  
TO BECOME PROPERTY OF  
GOVERNMENT

Mar-79 227.478-2(a)(1)(ii) NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

No FAR counterpart. If clause is necessary, it should be moved to FAR.

\* REMARKS \*

252.227-7024

NOTICE AND APPROVAL OF  
RESTRICTED DESIGNS

Apr-84 227.478-5 NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.227-7026

DEFERRED DELIVERY OF  
TECHNICAL DATA OR  
COMPUTER SOFTWARE

Apr-88 227.475-5(b) S3

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.227-7027

DEFERRED ORDERING OF  
TECHNICAL DATA OR  
COMPUTER SOFTWARE

Apr-88 227.475-2(c) S3

M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7028		REQUIREMENT FOR TECHNICAL DATA REPRESENTATION	Oct-88	227.473-2(a)(5)(ii)	S4	10 USC 2320(b)(1)	M - A
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*

\* RATIONALE \*

252.227-7029

IDENTIFICATION OF TECHNICAL DATA

Apr-88 227.473-3(a)

S2 10 USC 2384(b)(1)(c)

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*

\* RATIONALE \*

252.227-7030

TECHNICAL DATA - WITHHOLDING OF PAYMENT

Oct-88 227.473.5(b)

S2 10 USC 2320(b)(9), 41 USC 418a(d)(9)

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): EI

\* RATIONALE \*

\* REMARKS \*

This clause pertains to the withholding of payment in all contracts dealing with delivery of technical data; FAR clause is limited to "major systems." Difference should be reconciled if possible.

252.227-7031

DATA REQUIREMENTS

Oct-88 227.475-1(a)

S2 10 USC 2320(b)(2)

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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DFARS CLAUSES	ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.227-7032		RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE (FOREIGN)	Jun-75	227.475-5	S3	10 USC 2320(b)(1)	M - A

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.227-7033

RIGHTS IN SHOP DRAWINGS

Apr-66

227.478-2(a)(2)

NS

M - A

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

Clause is a little broad. It should read any "Government" purpose.

\* REMARKS \*

252.227-7034

PATENTS - SUBCONTRACTS

Apr-84

227.304-4

NS

M - A

CONCLUSION CODE(S): I O

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Clause is inconsistent with and superseded by FAR Clause 252.227-11.

\* REMARKS \*

252.227-7036

CERTIFICATION OF TECHNICAL DATA CONFORMITY

May-87

227.473-5

S2

10 USC 2321(b)(7)

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.227-7037		VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA	Apr-88	227.473-4(a)	S2	10 USC 2321	M - A
--------------	--	------------------------------------------------------	--------	--------------	----	-------------	-------

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

## \* RATIONALE \*

## \* REMARKS \*

Clause is too long.

Remove procedures -- retain substance.

252.228-7000

REIMBURSEMENT FOR WAR  
HAZARD LOSSES

Jul-68 228.305(e)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

This is obviously a situation where two higher levels have exercised discretion and waived the need for this insurance and DOD is giving rebirth through its own clause.

Secretary of Labor must have earlier waived requirement for the clause under the Defense Base Act.

252.228-7001

GROUND AND FLIGHT RISK

Oct-75 228.306(a)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK 0

## \* RATIONALE \*

## \* REMARKS \*

Very complicated clause to cover a very complex risk and to distribute it between the Government and the contractor while maintaining the Government's policy to be a self-insurer.

Increase \$1,000 figure to \$10,000. Paragraph (f) of the clause addresses possible conditions that might require prime to flow down some protection.

252.228-7002

FLIGHT RISKS

Oct-75 228.307-2

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

This clause provides for sharing the risk on multimillion dollar systems and maintaining the Government's policy to be a self-insurer.



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.228-7003

CAPTURE AND DETENTION

Jun-68 228.309 (S-70)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

wartime benefits. Good public policy to require benefits for contractor's personnel.

## \* REMARKS \*

42 USC 1701 is only indirectly involved.

252.228-7004

BONDS OR OTHER SECURITY

Apr-77 228.103-2(a)(4)

S4

40 USC 270a.

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

This area is subject to much agency implementation. GSA has five clauses: 552.228-70, Bid Guarantee and Bonds; 552.228-71, Bid Guarantee; 552.228-72, Performance Bond; 552.228-73, Performance; and 552.228-74, Performance - Payment Bond. NASA has two clauses: 18-52.228-73, Bid Bond; and 18-52.228-74, Payment and Performance Bonds. The extent of agency implementation shows a need for uniform FAR coverage. The clause should be eliminated in the DFARS, and FAR coverage developed.

## \* REMARKS \*

Develop a FAR clause to replace this clause.

252.228-7006

ACCIDENT REPORTING AND  
INVESTIGATION INVOLVING  
AIRCRAFT, MISSILES, AND  
SPACE LAUNCH VEHICLES

Jan-69 228.7101

NS

R - 1

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

Some contractual mechanism is essential in case one of these rare accidents occurs. Otherwise contractor may not be willing to report and cooperate.

## \* REMARKS \*



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CLAUSE NUMBER	ALT	TITLE	DFARS CLAUSES ORIGIN, FLOW DOWN, AND RECOMMENDATIONS			DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.231-7002		PENALTIES FOR UNALLOWABLE COSTS-FIXED PRICE INCENTIVE				Apr-88	231.7001(d)(2)	S1	10 USC 2324	N -
CONCLUSION CODE(S): OK									RECOMMENDATION CODE(S): OK	
* RATIONALE *									* REMARKS *	
252.232-7001		ADVANCE PAYMENTS POOL				Apr-84	232.412(S-70)	S3	10 USC 2307, 41 USC 255, 50 USC 1431	N -
CONCLUSION CODE(S): OK									RECOMMENDATION CODE(S): OK	
* RATIONALE *									* REMARKS *	
252.232-7002		DISPOSITION OF PAYMENTS				Apr-84	232.412(S-71)	NS		N -
CONCLUSION CODE(S): OK									RECOMMENDATION CODE(S): OK	
* RATIONALE *									* REMARKS *	
252.232-7003		PROGRESS PAYMENTS FOR FOREIGN MILITARY SALES ACQUISITIONS				Apr-84	232.502-4(S-70)	NS	DoD 5105.38-M, Security Assistance Management	N -
CONCLUSION CODE(S): OK									RECOMMENDATION CODE(S): OK	
* RATIONALE *									* REMARKS *	

DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.232-7004		FLEXIBLE PROGRESS PAYMENTS	Oct-88	232.502-4(S-71)	S3	10 USC 2307, 41 USC 255, 50 USC 1431	N -
		CONCLUSION CODE(S): OK	RECOMMENDATION CODE(S): OK				
		* RATIONALE *	* REMARKS *				
252.232-7004	1	FLEXIBLE PROGRESS PAYMENTS - ALTERNATE I	Oct-88	232.502-4(S-71)	S3	10 USC 2307, 41 USC 255, 50 USC 1431, PL 99-500, PL 99-591	N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		Applies only to FY87 funds. Should be eliminated when FY87 funds expire.					
252.232-7005		PAYMENTS UNDER FIXED-PRICE CONSTRUCTION CONTRACTS (DEV)	Apr-86	232.111(S-71)	S3	PL 99-500, PL 99-591	N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		Applies only to FY87 funds. Should be eliminated when FY87 funds expire.					
252.232-7006		PAYMENTS UNDER FIXED-PRICE ARCHITECT-ENGINEER CONTRACTS (DEV)	Aug-87	232-111(S-72)	S3	PL 99-500, PL 99-591	N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		Applies only to FY87 funds. Should be eliminated when FY87 funds expire.					

DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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funds expire.

252.232-7007

PROGRESS PAYMENTS

Oct-86

232.502-4(S-72)

S3

10 USC 2307, 41 USC 255,  
50 USC 1431, PL 99-500,  
PL 99-591

R - 1

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Applies only to FY87 funds. Should be eliminated when FY87 funds expire.

252.232-7007

1 PROGRESS PAYMENTS -  
ALTERNATE I

Oct-86

232.502-4(S-73)

S3

10 USC 2307, 41 USC 255,  
50 USC 1431, PL 99-500,  
PL 99-591

R - 1

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

Applies to FY87 funds only. Should be eliminated when FY87 funds expire.

252.232-7007

2 PROGRESS PAYMENTS -  
ALTERNATE II

Oct-86

232.502-4(S-74)

S3

10 USC 2307, 41 USC 255,  
50 USC 1431, PL 99-500,  
PL 99-591

R - 1

CONCLUSION CODE(S): Q DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

obsolete, duplicates large parts of 52.232-16 Alternate II.

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.233-7000		CERTIFICATION OF REQUESTS FOR ADJUSTMENT EXCEEDING \$100,000	Feb-80	233.7000	S2	PL 99-485 Sect. 813, See also PL 95-563 Sect. 6(c) Contract Disputes Act of 1978	N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

Clause requires certification required by law.

## \* REMARKS \*

DFARS permits the certification of claims under the Contract Disputes Act in lieu of the Section 813 certification.

252.234-7000

NOTICE OF COST/SCHEDULE CONTROL SYSTEMS

Aug-85 234.005-71(a)

S3

OMB Circular A-109, DODI 7000.2

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

A provision is not needed to alert offerors of the C/SCSC requirement.

## \* REMARKS \*

Offerors can become aware of C/SCSC requirement through RFP's SOW instead of a solicitation provision.

252.234-7001

COST/SCHEDULE CONTROL SYSTEMS

Aug-85 234.005-71(a)

S3

10 USC 2432, OMB Circular A-109, DODI 7000.2

R - A

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Requirement for C/SCSC should be in contract SOW, not a clause. Flowdown should be in subcontract Clause 52.244-1.

## \* REMARKS \*

10 USC 2432 requires that Selected Acquisition Reports (SARs) be submitted to Congress. SAR contains C/SCSC summary data.

DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.235-7000		INDEMNIFICATION UNDER 10 USC 2354 - FIXED PRICE	Apr-74	235.071(a)	S1	10 USC 2354	N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* REMARKS \*

\* RATIONALE \*

See 252.235-7001.

252.235-7001

INDEMNIFICATION UNDER 10 USC 2354 - COST REIMBURSEMENT

Apr-74 235-071(b)

S1 10 USC 2354

N -

CONCLUSION CODE(S): DD

RECOMMENDATION CODE(S): ED EC

\* RATIONALE \*

\* REMARKS \*

Integrate CPFF provisions as Alternate I to 252.235-7000.

252.235-7003

CARE OF LABORATORY ANIMALS

Apr-74 235.071(d)

S2 7 USC 2131 et seq.

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

\* RATIONALE \*

\* REMARKS \*

This requirement applies to all agencies, not just DoD. Move to FAR and remove from DFARS. Flow down should be made mandatory for subcontractors.

252.235-7004

FREQUENCY AUTHORIZATION

Oct-66 235.071(e)

S3 47 USC 305, EO 12046, DODD 4650.1

M - A

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

DD Form 1494, "Application for Frequency Allocation," is a current DID. Clause is not necessary for data submission.

Communications Act of 1934 gives President the power to assign frequencies for Government-owned radio stations. It was later delegated by EO to the Secretary of Commerce.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAU SE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.235-7005		SHORT FORM RESEARCH CONTRACT	Feb-89	235.7008(b)	S4	10 USC 2306(e), 31 USC	N -

CONCLUSION CODE(S): DD PW I

\* RATIONALE \*

Paragraph (vvv) states the obvious - that an SFRC is R&D work. Since no data rights determination is made, the paragraph adds no value. Paragraph (www) duplicates DFARS 252.232-7001. NASA and DoE have their own versions in agency regs.

\* REMARKS \*

Develop a Government-wide SFRC to be incorporated into FAR Part 17.

RECOMMENDATION CODE(S): M SL ED

252.236-7000	COMPOSITION OF CONTRACTOR		NS	N -
	Jan-65	236.571-1		

CONCLUSION CODE(S): OK

**\*\* RATIONALE \***

RECOMMENDATION CODE(S): OK

\* REMARKS \*

52.236-7001	MODIFICATION PROPOSALS -	Apr-68	236.571-2	NS	N -
	PRICE BREAKDOWN				

CONCLUSION CODE(S): OK

**\* RATIONALE \***

RECOMMENDATION CODE(S): OK

\* REMARKS \*

52.236-7002	CONTRACT DRAWINGS, MAPS AND SPECIFICATIONS	Sep-87	236.571-3	NS	N -
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**CONCLUSION CODE(S): OK**

\* RATIONALE \*

RECOMMENDATION CODE(S): OK

\* REMARKS \*





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CLAUSE NUMBER	ALT	TITLE	DFARS CLAUSES ORIGIN, FLOW DOWN, AND RECOMMENDATIONS			PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
			DATE						
252.236-7009(a)		PAYMENT FOR MOBILIZATION AND PREPARATORY WORK, PAYMENT ITEM NO...	Mar-79			236.527-6(a)	NS		N -
			CONCLUSION CODE(S): I			RECOMMENDATION CODE(S): O			
			* RATIONALE *			* REMARKS *			
						Clause prescriptions and numbering are inconsistent with the system for prescribing and numbering clauses and need revision. Also see 252.236-7009(b).			
252.236-7009(b)		MOBILIZATION AND DEMOBILIZATION, PAYMENT ITEM NO. . . .	Dec-85			236.572-6(b)	NS		N -
			CONCLUSION CODE(S): I			RECOMMENDATION CODE(S): O			
			* RATIONALE *			* REMARKS *			
						See 252.236-7009(a).			
252.236-7011		AIRFIELD SAFETY PRECAUTIONS	Apr-68			236-572-8	NS		N -
			CONCLUSION CODE(S): OK			RECOMMENDATION CODE(S): OK			
			* RATIONALE *			* REMARKS *			
252.236-7012		CONTRACTOR - PREPARED NETWORK ANALYSIS SYSTEM	Apr-68			236.572-9	NS		N -
			CONCLUSION CODE(S): DF			RECOMMENDATION CODE(S): ED EC			
			* RATIONALE *			* REMARKS *			
			This clause should be consolidated with the clause at FAR 52.236-15, perhaps as an alternate.						



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.236-7018		OPTION FOR SUPERVISION AND INSPECTION SERVICES	Apr-72	236.574	NS		N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.236-7019

ACCIDENT PREVENTION

Jul-89 236.513(S-70)

S3 40 USC 329, 40 USC 327 et seq., 40 USC 333

M - A

CONCLUSION CODE(S): DF Q

\* RATIONALE \*

RECOMMENDATION CODE(S): ED EC

This clause duplicates the FAR clause at 52.236-13, almost verbatim. The clause should be eliminated, or at least consolidated with the FAR clause at 52.236-13.

\* REMARKS \*

If this clause is retained, it must be retitled to avoid confusion with the FAR clause. Commercial counterpart: AIA Document A201, Paras. 4.2.3 and 10.

252.236-7019

1 ACCIDENT PREVENTION - ALTERNATE I

Jul-89 236.513(S-70)

S3 40 USC 329, 40 USC 327 et seq., 40 USC 333

M - A

CONCLUSION CODE(S): DF Q

RECOMMENDATION CODE(S): ED EC

\* RATIONALE \*

\* REMARKS \*

This alternate is virtually identical to the alternate for FAR Clause 52.236-13. It should be eliminated or consolidated with that FAR clause, perhaps as an alternate.

Commercial counterpart: AIA Document A201, Paras. 4.2.3 and 10.

252.236-7081

COST LIMITATION

Apr-84 236.580-1

S2 Appropriations with statutory cost limitations

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

Appropriations for a specific project may contain funding limits. This solicitation provision is part of the funding

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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controls that ensure the statutory cost limits are not exceeded.

252.236-7082

ADDITIVE OR DEDUCTIVE  
ITEMS

Apr-84 236.580-2,  
236.303(S-70)

NS

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

\* RATIONALE \*

\* REMARKS \*

NASA Clause 18-52.236-71, Additive or Deductive Items, and  
CSA Clause 552.236-73, Basis of Award-Construction Contract  
- Alternates II and III, address the same subject. The  
Departments of Energy and State use similar clauses. Such  
widespread agency implementation and usage cry out for FAR  
coverage rather than DFARS coverage.

Develop a FAR clause to cover this subject.

252.237-7000

STATEMENT OF WORK

Oct-76 237.304(S-70)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

The clause is merely a format for giving information  
required in any statement of work for dismantling,  
demolition, or removal of improvements. As such it is an  
administrative convenience suitable for administrative  
issuance but inappropriate in a regulation speaking with  
the force and effect of law.

If this clause is retained, it should at least be moved to  
the FAR. It is not DoD-specific.

252.237-7000

1 STATEMENT OF WORK -  
ALTERNATE I

Oct-76 None

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

see basic clause.

This alternate is not prescribed in 237.304. It should be  
prescribed if it is to be retained.



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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.237-7104		SPECIFICATIONS	Oct-65	237.7103(c)	NS		N -
--------------	--	----------------	--------	-------------	----	--	-----

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

A special clause to incorporate mortuary specifications is unnecessary.

## \* REMARKS \*

This clause is simply a one-sentence format making an attachment part of the contract. This situation is routinely handled by a statement in UCF Section J or in the Schedule.

252.237-7105

USING ACTIVITIES

Oct-65

237.7103(c)

NS

N -

CONCLUSION CODE(S): Q DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

This clause is simply a one-sentence format for listing the ordering activities. This function is routinely handled by a statement in the Schedule, not a clause. The situation occurs much more often in other contracts than it does in mortuary services contracts, and FAR 52.216-18 can be used to cover it.

## \* REMARKS \*

252.237-7106

DELIVERY ORDERS AND INVOICES

Oct-65

237.7103(c)

NS

N -

CONCLUSION CODE(S): Q DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

There is nothing in this clause to render it peculiar to mortuary services or to DOD.

## \* REMARKS \*

FAR clause 52.216-18 covers the subject of delivery orders.





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| DFARS CLAUSES |

| ORIGIN, FLOW DOWN, AND RECOMMENDATIONS |

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CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.237-7111		PROFESSIONAL REQUIREMENTS	Oct-65	237.7103(c)	NS		N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.237-7112

FACILITY REQUIREMENTS

Oct-65 237.7103(c)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.237-7113

PREPARATION HISTORY

Oct-65 237.7103(c)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.237-7200

INSTRUCTION TO BIDDERS  
(COUNT OF ARTICLES)

Oct-81 237.7204(a)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.237-7201

INSTRUCTION TO BIDDERS  
(BULK WEIGHT)

Oct-81 237.7204(b)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.237-7202

COUNT OF ARTICLES

Apr-67 237.7204(c)(1)

NS

N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

\* REMARKS \*

Clause contains gender-specific language.

252.237-7202

1 COUNT OF ARTICLES --

Apr-67 237.7204(c)(2)

NS

N -

ALTERNATE I

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*

252.237-7203

LOSS OR DAMAGE (COUNT OF ARTICLES)

Oct-81 237.7204(d)

NS

N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

\* REMARKS \*

Clause contains gender-specific language.

252.237-7204

WEIGHT OF ARTICLES (BAG TYPE)

Oct-81 237.7204(e)

NS

N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

\* RATIONALE \*

\* REMARKS \*

See 252.237-7207.

Clause contains gender-specific language.

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DFARS CLAUSES		ORIGIN, FLOW DOWN, AND RECOMMENDATIONS			
CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE
		WEIGHT OF ARTICLES (UNSORTED)		237.7204(e)	NS
252.237-7205			Oct-81		N -
		CONCLUSION CODE(S): PW	RECOMMENDATION CODE(S): SL		
		* RATIONALE *	* REMARKS *		
		Clause contains gender-specific language.	See 252.237-7207.		
252.237-7206		LOSS OR DAMAGE (WEIGHT OF ARTICLES)	Oct-81	237.7204(e)	NS
		CONCLUSION CODE(S): PW	RECOMMENDATION CODE(S): SL		
		* RATIONALE *	* REMARKS *		
		Clause contains gender-specific language.			
252.237-7207		MAXIMUM WEIGHT LOSS	Oct-81	237.7204(e)	NS
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC		
		* RATIONALE *	* REMARKS *		
		Clause should be eliminated by adding it as paragraph (e) to the clauses at 252.237-7204 and -7205.			
252.237-7208		INDIVIDUAL LAUNDRY	Apr-67	237.7204(f)	NS
		CONCLUSION CODE(S): OK	RECOMMENDATION CODE(S): OK		
		* RATIONALE *	* REMARKS *		



DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.237-7404		OBLIGATION OF THE GOVERNMENT	Apr-71	237.7413(a)	NS		N -
CONCLUSION CODE(S): OK							RECOMMENDATION CODE(S): OK
* RATIONALE *							* REMARKS *
252.237-7406		CONTINUATION OF ORDERS	Apr-71	237.7413(b)	NS		N -
CONCLUSION CODE(S): OK							RECOMMENDATION CODE(S): OK O
* RATIONALE *							* REMARKS *
							Since clauses 252.237-7406 through 252.237-7416 all go into the same contracts, they could be combined into 1 clause instead of 11.
252.237-7407		FACILITIES AND SERVICES TO BE FURNISHED - COMMON CARRIERS	Apr-71	237.7413(b)	NS		N -
CONCLUSION CODE(S): Q PW							RECOMMENDATION CODE(S): SL EC
* RATIONALE *							* REMARKS *
Clause contains gender-specific language.							See Clause 252.237-7406.
252.237-7408		ORDERING OF FACILITIES AND SERVICES - COMMON CARRIERS	Apr-71	237.7413(b)	NS		N -
CONCLUSION CODE(S): Q							RECOMMENDATION CODE(S): EC
* RATIONALE *							* REMARKS *
							See Clause 252.237-7406.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.237-7409		RATES, CHARGES, AND SERVICES - COMMON CARRIERS	Apr-71	237.7413(b)	NS		N -
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CONCLUSION CODE(S): PW Q

RECOMMENDATION CODE(S): SL EC

\* RATIONALE \*

Clause contains gender-specific language.

\* REMARKS \*

See Clause 252.237-7406.

252.237-7410

PAYMENT - COMMON CARRIERS	Apr-71	237.7413(b)	NS
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N -

CONCLUSION CODE(S): Q DF

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Clause is word for word the same as FAR Clause 52.232-6, except for insignificant editorial details.

\* REMARKS \*

252.237-7411

TARIFF INFORMATION	Apr-71	237.7413(b)	NS
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N -

CONCLUSION CODE(S): PW Q

RECOMMENDATION CODE(S): SL EC

\* RATIONALE \*

Clause contains gender-specific language.

\* REMARKS \*

See Clause 252.237-7406.

252.237-7412

CANCELLATION OR TERMINATION OF ORDERS - COMMON CARRIERS	Apr-71	237.7413(b)	NS
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N -

CONCLUSION CODE(S): PW Q

RECOMMENDATION CODE(S): SL EC

\* RATIONALE \*

Clause contains gender-specific language.

\* REMARKS \*

See Clause 252.237-7406.

DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.237-7413		REUSE ARRANGEMENTS	Apr-71	237.7413(b)	NS		N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		See Clause 252.237-7406.					
252.237-7414		SUBMISSION OF COST OR PRICING DATA - COMMON CARRIERS	Apr-71	237.7413(b)	S2	10 USC 2306	N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		See Clause 252.237-7406.					
252.237-7415		AUDIT AND RECORDS - COMMON CARRIERS	Apr-71	237.7413(b)	S2	10 USC 2313(a), 10 USC 2306a(f)	M - 1
		CONCLUSION CODE(S): PW Q	RECOMMENDATION CODE(S): SL EC				
		* RATIONALE *	* REMARKS *				
		Clause contains gender-specific language.	See Clause 252.237-7406.				
252.237-7416		TERM AND TERMINATION OF CONTRACT - COMMON CARRIERS	Jul-76	237.7413(b)	NS		N -
		CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC				
		* RATIONALE *	* REMARKS *				
		See Clause 252.237-7406.					

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.237-7417		SPECIAL CONSTRUCTION AND EQUIPMENT CHARGES	Apr-71	237.7413(c)	NS		N -

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL  
\* REMARKS \*

\* RATIONALE \*

Clause contains gender-specific language.

252.237-7418		TITLE TO COMMUNICATION FACILITIES AND EQUIPMENT	Apr-71	237.7413(c)	NS		N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*

\* RATIONALE \*

252.242-7000		SUBMISSION OF COMMERCIAL FREIGHT BILLS TO THE GENERAL SERVICES ADMINISTRATION FOR AUDIT	Aug-85	242.1403-2	S2	41 CFR 101-41.807-4, 31 USC 3726	N -
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CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

\* RATIONALE \*

Clause is needed but not in DFARS. Requirement applies to all agencies.

\* REMARKS \*

This clause should be eliminated and merged with the FAR clause 52.247-1 "Commercial Bill of Lading Notations" and prescribed in FAR Part 47.

252.242-7001		MATERIAL MANAGEMENT AND ACCOUNTING SYSTEM REQUIREMENTS AND STANDARDS	Aug-89	242.7209	S1	PL 100-456, 10 USC 2410(b)	N -
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CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

\* RATIONALE \*

\* REMARKS \*



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.242-7003		CERTIFICATION OF INDIRECT COSTS	Apr-86	242.770-1	S1	10 USC 2324(h)(1)	N -
				CONCLUSION CODE(S): OK			
				* RATIONALE *			
				RECOMMENDATION CODE(S): OK			
				* REMARKS *			
252.243-7000		ENGINEERING CHANGE PROPOSALS	Sep-85	243.205(S-70)	NS		N -
				CONCLUSION CODE(S): OK			
				* RATIONALE *			
				RECOMMENDATION CODE(S): OK			
				* REMARKS *			
252.243-7000	1	ENGINEERING CHANGE PROPOSALS - ALTERNATE I	Sep-85	243.202-70(b)	NS		N -
				CONCLUSION CODE(S): OK			
				* RATIONALE *			
				RECOMMENDATION CODE(S): OK			
				* REMARKS *			
252.243-7001		PRICING OF ADJUSTMENTS	Apr-84	243.205(S-71)	NS		N -
				CONCLUSION CODE(S): Q			
				* RATIONALE *			
				RECOMMENDATION CODE(S): EC			
				* REMARKS *			

Clause is unnecessary. It simply states that allowability regulations are applicable when allowability is an issue.

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| DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.245-7000		GOVERNMENT-FURNISHED MAPPING, CHARTING AND GEODESY PROPERTY	Nov-88	245.310-1	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

Rewrite to define Government property as including mapping, charting, and geodesy property. Then, by adding that definition and the language of 252.245-7000(b) to the standard property clause, along with any special protections demanded by the specific category of property, this clause could be eliminated.

See DoD Directive 5105.40.

252.246-7000

MATERIAL INSPECTION AND  
RECEIVING REPORT

Dec-69 246.370

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

\* REMARKS \*

252.246-7001

WARRANTY OF DATA

Nov-74 246.710(f)

S3

10 USC 2320(b)(7)(8)

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

\* REMARKS \*

This clause, along with its two alternates, should be removed from the DFARS and placed in the FAR. The nature of data warranties makes universal the need to protect the Government's rights. This is not a situation unique to DoD.

Clause predates law.

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CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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CONCLUSION CODE(S): I	RECOMMENDATION CODE(S): M	* REMARKS *

252.246-7001	2	WARRANTY OF DATA - ALTERNATE II	Nov-74	246.710(f)(2)	S3	10 USC 2320(b)(7)(8)	N -
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\* RATIONALE \*

See rationale for the basic clause.

Clause prelates law.

CONCLUSION CODE(S): PW

RECOMMENDATION CODE(S): SL

	SCHEDULE OF RATES	NS	N -
252.247-7001	Aug-64	247.270-9(a)	NS

CONCLUSION CODE(S): OK	RECOMMENDATION CODE(S): OK
* RATIONALE *	* REMARKS *
Special requirements for stevedoring	



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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If it is not essential to allow the contractor to terminate the contract, the FAR Clause 52.249-4, Termination for Convenience of the Government, (Services)(Short Form) can be used instead.

252.247-7006

INDEFINITE QUANTITIES - Aug-64 247.270-9(f)  
FIXED CHARGES

NS

N -

CONCLUSION CODE(S): DF PW

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

FAR Clause 52.216-22, Indefinite Quantity, could be used in lieu of this clause if it were not for the "fixed charges." If these charges are still an issue, perhaps they can be addressed in the statement of work without the need for a separate clause. Existing clause is also clumsily worded.

252.247-7007

INDEFINITE QUANTITIES - Aug-64 247.270-9(g)  
NO FIXED CHARGES

NS

N -

CONCLUSION CODE(S): DF PW O

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

FAR Clause 52.216-22, Indefinite Quantity, should be used instead. The existing clause is also clumsily worded. In addition, the \$100 threshold hasn't changed since 1964. It should be reviewed for an appropriate increase, if this clause is retained.

252.247-7008

EMPLOYEES OF CONTRACTOR Aug-64 247.270-9(h)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

Only one sentence of the clause deals with employees of the contractor. The rest deals with compliance with laws and regulations. If needed, this should be a FAR clause,

\* REMARKS \*

If not eliminated, add clause to FAR, giving the Govt. contractual remedies against contractors that don't comply with laws.

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
addressing all laws.							

252.247-7009

REMOVAL OF CONTRACTOR'S  
EMPLOYEES

Oct-65 247.270-9(h)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK  
\* REMARKS \*\* RATIONALE \*  
Protects the Government's interests.

252.247-7010

LIABILITY AND INSURANCE

Jan-77 247.270-9(h)

S4

42 USC 1651, 33 USC 901  
et seq.

N -

CONCLUSION CODE(S): DD DF  
\* RATIONALE \*

RECOMMENDATION CODE(S): EC

Portions of this clause duplicate other insurance and liability clauses in FAR Parts 28 amd 47, and DFARS Part 217.

\* REMARKS \*  
Recommend that the insurance and liability requirements be consolidated elsewhere.

252.247-7100

EVALUATION OF BIDS

Jun-87 247.271-4(a)(1)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): ED

\* RATIONALE \*

Paragraph (b) duplicates FAR Clause 52.214-22. The other paragraphs are unique to this type of contract.

\* REMARKS \*  
Delete paragraph (b) from clause. See also 252.247-7101.

252.247-7100

1 EVALUATION OF BIDS -  
ALTERNATE I

Jun-87 247.271-4(a)(1)

NS

N -

CONCLUSION CODE(S): DF

RECOMMENDATION CODE(S): ED

\* RATIONALE \*

See basic clause.

\* REMARKS \*

See basic clause.

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.247-7101	AWARD		Apr-77	247.271-4(a)(2)	NS		N -

CONCLUSION CODE(S): Q I  
RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Since this provision is used under the same circumstances as 252.247-7100, recommend this provision be eliminated and added as a paragraph under 252.247-7100. Also, this provision refers to "qualified low bidder," while FAR refers to "responsible bidder" in Clause 52.214-10. This discrepancy should be eliminated.

## \* REMARKS \*

252.247-7103

SCOPE OF CONTRACT

Jun-87 247-271-4(b)(1)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK O

## \* RATIONALE \*

Special requirements for this type of contract

## \* REMARKS \*

Since clauses 252.247-7103 through -7114 are all used in the same situation, recommend consolidating them (except for those recommended for elimination) into one clause. This concept is currently used in the Master Ship Repair Agreement and the Short Form Research Contract.

252.247-7104

PERIOD OF CONTRACT

Jun-87 247.271-4(b)(2)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

See remarks for 252.247-7103.

## \* REMARKS \*





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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.247-7109		DEMURRAGE	May-70	247.271-4(b)(8)	NS		N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See remarks for 252.247-7103.

\* REMARKS \*

252.247-7110		LIABILITY	Jul-80	247.271-4(b)(9)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See remarks for 252.247-7103.

\* REMARKS \*

Clause title misspelled.

252.247-7111		ERRONEOUS SHIPMENTS	Jun-87	247.271-4(b)(10)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See remarks for 252.247-7103.

\* REMARKS \*

252.247-7112		SUBCONTRACTING	May-70	247.271-4(b)(11)	NS		N -
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CONCLUSION CODE(S): Q I

RECOMMENDATION CODE(S): EC EI

\* RATIONALE \*

Inclear why this clause is necessary in a fixed-price competitive environment. If subcontracting is not desirable, statement of work should specify the extent of work that the prime must do.

AR clause 52.244-1 language is "consent of," while this clause has "approval of" the contracting officer.

\* REMARKS \*

Recommend elimination of this clause. If this clause is retained, language should be changed to read "consent of the contracting officer" rather than "approval of the contracting officer" to be consistent with the FAR.

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## FLOW DOWN AND LEVEL

RECOMMENDATION CODE(S): EC

\* REMARKS \*

1  
2

RECOMMENDATION CODE(S): EC

\* REMARKS \*

1  
2

RECOMMENDATION CODE(S): M

\* REMARKS \*

2

RECOMMENDATION CODE(S): EC

**\* REMARKS \***

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.247-7203		TRANSPORTATION OF SUPPLIES BY SEA	Mar-89	247.574	S2	10 USC 2631 Cargo Preference Act of 1904	M - A

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): EI

## \* RATIONALE \*

Prescription should state that the clause need not be inserted when the contracting officer knows that ocean transportation will not be used in the contract.

## \* REMARKS \*

This clause is sufficient for DoD's compliance with the Cargo Preference Act of 1954. Therefore, no additional coverage is needed. See also 252.247-7202.

252.249-7000

SPECIAL TERMINATION COSTS

Apr-84

249.7003(a)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

## \* REMARKS \*

252.251-7000

ORDERING FROM GOVERNMENT  
SUPPLY SOURCES

Apr-84

251.107

NS

FAR 51.103

N -

CONCLUSION CODE(S): DF Q

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Clause is unnecessary. The language repeats, almost verbatim, information in FAR 51.103. GSA, DOT, DOE, and NASA do not have a similar clause.

## \* REMARKS \*

252.251-7001

USE OF INTERAGENCY MOTOR  
POOL VEHICLES AND RELATED  
SERVICES

Apr-84

251.205

NS

N -

CONCLUSION CODE(S): DF Q O

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

Clause is unnecessary. The language repeats almost verbatim information in FAR 51.203, 51.204, 51.202(a)(4) & 5), and 52.251-2. Terminology in clause is outdated.

## \* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.252-7000 SIMPLIFIED SUPPLY CONTRACT REQUIRED CLAUSES

Apr-84 252.252-7000 NS DoD Contract Simplification Program

CONCLUSION CODE(S): Q 0

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

This clause should not be in DFARS when only designated organizations are authorized to use. In addition, some cited clauses have been superseded.

\* REMARKS \*

The clause tells the contracting officer what FAR clauses to incorporate by reference. These instructions can be included in the letter authorizing use of test procedures.

252.252-7001 SIMPLIFIED SERVICES CONTRACT REQUIRED CLAUSES

Apr-84 252.252-7001 NS DoD Contract Simplification Program

CONCLUSION CODE(S): Q 0

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.252-7000.

\* REMARKS \*

252.252-7002 SIMPLIFIED SUPPLY AND SERVICES PROVISIONS (NEGOTIATED)

Apr-84 252.252-7002 NS DoD Contract Simplification Program

CONCLUSION CODE(S): Q 0

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.252-7000.

\* REMARKS \*

252.252-7003 SIMPLIFIED SUPPLY AND SERVICES PROVISIONS (ADVERTISED)

Apr-84 252.252-7003 NS DoD Contract Simplification Program

CONCLUSION CODE(S): Q 0

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.252-7000.

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7001		WARRANTY EXCLUSION AND LIMITATION OF DAMAGES	Feb-83	270.310(a)	NS		N -
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CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

Material appears to have Government-wide applicability. It should be eliminated from DFARS and included in FAR.

See UCC sec 101 2-715 for commercial application.

\* REMARKS \*

252.270-7002

CONTRACTOR REPRESENTATION Apr-84 270.310(b)

NS

N -

CONCLUSION CODE(S): OK

RECOMMENDATION CODE(S): OK

## \* RATIONALE \*

\* REMARKS \*

252.270-7003

FIXED PRICE OPTIONS

Sep-87 270.310(c)(4)

S4

41 USC 11, 31 USC 665a,  
31 USC 712a

N -

CONCLUSION CODE(S): I

RECOMMENDATION CODE(S): M

## \* RATIONALE \*

Material appears to have Government-wide applicability. It should be eliminated from DFARS and included in FAR.

\* REMARKS \*

252.270-7004

OPTION TO EXTEND THE TERM  
OF A CONTRACT

NS

N -

CONCLUSION CODE(S): Q DF

RECOMMENDATION CODE(S): EC

## \* RATIONALE \*

\* REMARKS \*

There is no need for a special option clause for ADP. FAR provides appropriate option clauses at 52.217-8 and 52.217-9



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CLAUSE NUMBER	ALT	TITLE	DFARS CLAUSES ORIGIN, FLOW DOWN, AND RECOMMENDATIONS			DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.270-7009		ACCESS TO CONTRACTOR FACILITIES AND RECORDS-PRIVACY SAFEGUARDS INSPECTION				Apr-84	270.904	S2	5 USC 552(m)(1)	N -
CONCLUSION CODE(S): I										
* RATIONALE *										
FAR 52.224-2 flows down to all tiers. This clause should also flow down.			This clause should also flow down. 52.224-2 flows down to all tiers.			RECOMMENDATION CODE(S): EI				
252.270-7101		AMERICAN STANDARD CODE FOR INFORMATION INTERCHANGE (ASCII) SYSTEM REQUIREMENTS				Mar-87	270.1103(a)(1)	NS		N -
CONCLUSION CODE(S): Q										
* RATIONALE *										
This clause contains specific technical requirements regarding FIPS PUBS and/or FED/STDs such as type of ink, size, speed, or other "specification" type requirements. It should be part of the specifications, not a contract clause.			40 USC 79(f) and EO 11717 authorize the Sec. of Commerce to establish uniform automatic data processing standards. This is done with FIPS PUBs, which DoD must comply with.			RECOMMENDATION CODE(S): EC				
252.270-7102		PUNCHED PAPER TAPE READERS AND PUNCHES				Mar-87	270.1103(a)(2)	NS		N -
CONCLUSION CODE(S): Q										
* RATIONALE *										
See 252.270-7101.			RECOMMENDATION CODE(S): EC			* REMARKS *				

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## DEARS CLAUSES

FLOW DOWN  
AND LEVEL

1  
2

RECOMMENDATION CODE(S): EC

\* REMARKS \*

2

RECOMMENDATION CODE(S): EC

\* REMARKS \*

2

RECOMMENDATION CODE(S): EC

\* REMARKS \*

2

RECOMMENDATION CODE(S): EC

\* REMARKS \*

See 252.270-7101



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7107		FLOWCHARTS, SYMBOLS, AND THEIR USAGE IN INFORMATION PROCESSING	Feb-83	270.1103(a)(7)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7108		RECORDED MAGNETIC TAPE FOR INFORMATION INTERCHANGE (1600 CPI, PHASE CODE O)	Apr-84	270.1103(a)(8)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

SEE 252.270-7101

252.270-7109		ONE INCH PERFORATED PAPER FOR INFORMATION INTERCHANGE	Apr-84	270.1103(a)(9)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7110		TAKE UP REELS FOR THE ONE INCH PERFORATED TAPE FOR INFORMATION INTERCHANGE	Apr-84	270.1103(a)(10)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

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CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC
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See 252.270-7101

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC	* REMARKS *

See 252.270-7101

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC
* REMARKS *	

See 252.270-7101

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC
* REMARKS *	

See 252.270-7101

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CLAU SE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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CONCLUSION CODE(S): Q

See 252.270-7101

CONCLUSION CODE(S): Q	RECOMMENDATION CODE(S): EC	* REMARKS *

See 252.270-7101

CONCLUSION CODE(S): Q

See 252.270-7101

CONCLUSION CODE(S): Q

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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\* RATIONALE \*

See 252.270-7101

\* REMARKS \*

252.270-7119

RECORDED MAGNETIC TAPE  
CARTRIDGE FOR INFORMATION  
INTERCHANGE 4-TRACK, 6.30  
MM (.25 INCH) 63 BPMM  
(1600BPI) PHASE ENCODED

Mar-87 270.1103(a)(19)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.270-7101

\* REMARKS \*

252.270-7120

DESCRIPTION OF COMPUTER  
MAGNETIC TAPE FILE  
PROPERTIES

Apr-84 270.1103(a)(20)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.270-7101

\* REMARKS \*

252.270-7121

COMPUTER OUTPUT MICROFORM  
(COM) FORMATS AND  
REDUCTION RATIOS, 16MM  
AND 105MM.

Feb-83 270.1103 (a)(21)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

See 252.270-7101

\* REMARKS \*

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7122

INPUT/OUTPUT (I/O)  
CHANNEL INTERFACE

Aug-86 270.1103(a)(22)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

See 252.270-7101

252.270-7123

CHANNEL LEVEL POWER  
CONTROL INTERFACE

Aug-86 270.1103(a)(23)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

See 252.270-7101

252.270-7124

OPERATIONAL SPECIFICATION  
FOR MAGNETIC TAPE  
SUBSYSTEMS

Aug-86 270.1103(a)(24)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

See 252.270-7101

252.270-7125(a)

INTERFACE: ADP  
SYSTEMS/VARIABLE BLOCK,  
ROTATING MASS STORAGE  
SUBSYSTEMS WITH  
CONFORMANCE TO  
SUPPLEMENTAL DEVICE  
DEPENDENT CHARACTERISTICS

Aug-86 270.1103(a)(25)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC  
\* REMARKS \*

\* RATIONALE \*

See 252.270-7101

Clause numbering inconsistent with standard system. See

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 | DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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also 252.270-7125(b). Prescription for both clauses is at same cite and is at best difficult to understand.

252.270-7125(b)

INTERFACE: ADP  
 SYSTEMS/VARIABLE BLOCK,  
 ROTATING MASS STORAGE  
 SUBSYSTEMS WITHOUT  
 SUPPLEMENTARY DEVICE  
 DEPENDENT CHARACTERISTICS

Aug-86 270.1103(a)(25)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

See 252.270-7125(a).

252.270-7126

MAGNETIC TAPE LABELS AND  
 FILE STRUCTURE  
 INFORMATION INTERCHANGE

Feb-83 270.1103(a)(26)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7127

DATA ENCRYPTION STANDARD  
 (DES) MODES OF OPERATION

Apr-84 270.1103(a)(27)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

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DEARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.270-7128		MICROFORM READERS	Feb-83	270.1103(a)(28)	NS		N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7129

OPTICAL CHARACTER  
RECOGNITION (OCR) INKS

Apr-84 270.1103(a)(29)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7130

OPTICAL CHARACTER  
RECOGNITION (OCR)  
PRINTERS, READERS AND  
PRINTED FORMS

Apr-84 270.1103(a)(30)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7131

DIGITAL MAGNETIC TAPE  
CASSETTE EQUIPMENT AND  
ASSOCIATED PROGRAMS

Apr-84 270.1103(a)(31)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101





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| DFARS CLAUSES |  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.270-7136		ADDITIONAL AMERICAN STANDARD CODE FOR INFORMATION INTERCHANGE (ASCII) CONTROLS FOR CHARACTER-IMAGING ADP EQUIPMENT OR SERVICES	Mar-87	270.1103(a)(36)	NS		N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7137		INTERFACE:ADP SYSTEMS/ FIXED BLOCK, ROTATING MASS STORAGE SUBSYSTEMS	Aug-86	270.1103(a)(37)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7201		SYNCHRONOUS HIGH SPEED DATA SIGNALING RATES BETWEEN DATA TERMINAL EQUIPMENT AND DATA COMMUNICATION EQUIPMENT	Feb-83	270.1103(b)(1)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
252.270-7202		BIT SEQUENCING OF THE CODE INFORMATION INTERCHANGE IN SERIAL - BY - BIT DATA TRANSMISSION	Mar-87	270.1103(b)(2)	NS		N -
CONCLUSION CODE(S): Q							
* RATIONALE *							
See 252.270-7101							
252.270-7203		CHARACTER STRUCTURE AND CHARACTER PARITY SENSE FOR SERIAL-BY-BIT DATA COMMUNICATION IN THE CODE FOR INFORMATION INTERCHANGE	Mar-87	270.1103(b)(3)	NS		N -
CONCLUSION CODE(S): Q							
* RATIONALE *							
See 252.270-7101							
252.270-7204		CHARACTER STRUCTURE AND CHARACTER PARITY SENSE FOR PARALLEL-BY-BIT DATA COMMUNICATION	Mar-87	270.1103(b)(4)	NS		N -
CONCLUSION CODE(S): Q							
* RATIONALE *							
See 252.270-7101							

RECOMMENDATION CODE(S): EC

\* REMARKS \*

RECOMMENDATION CODE(S): EC

\* REMARKS \*

RECOMMENDATION CODE(S): EC

\* REMARKS \*

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7205		SYNCHRONOUS SIGNALING RATES BETWEEN DATA TERMINAL AND DATA COMMUNICATION EQUIPMENT	Feb-83	270.1130(b)(5)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7206		DATA LINK CONTROL-SYNCHRONOUS BIT-ORIENTED DATA	Apr-84	270.1103(b)(6)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7207		INTERFACE BETWEEN DATA TERMINAL EQUIPMENT (DTE) AND DATA CIRCUIT TERMINATING EQUIPMENT(DCE) FOR OPERATION WITH PACKET-SWITCHED DATA COMMUNICATIONS NETWORK	Aug-86	270.1103(b)(7)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7305		CODING AND MODULATION REQUIREMENTS FOR DUPLEX 600 AND/OR 1200 BIT/SECOND MODEMS	Feb-83	270.1103(c)(5)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7306		ELECTRICAL CHARACTERISTICS OF BALANCED VOLTAGE DIGITAL INTERFACE CIRCUITS	Feb-83	270.1103(c)(6)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7307		ELECTRICAL CHARACTERISTICS OF UNBALANCED VOLTAGE DIGITAL INTERFACE CIRCUITS	Feb-83	270.1103(c)(7)	NS		N -
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CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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252.270-7308

GROUP 2 FACSIMILE  
APPARATUS FOR DOCUMENT  
TRANSMISSION

Feb-83 270.1103(c)(8)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7309

CRYPTOGRAPHIC COMPONENTS,  
EQUIPMENT, SYSTEMS, AND  
SERVICES

Jun-84 270.1103(c)(9)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

See 252.204-7008: appears to conflict.

252.270-7310

ACQUISITION, DESIGN, OR  
DEVELOPMENT OF GROUP 3  
FACSIMILE APPARATUS

Jun-84 270.1103(c)(10)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101

252.270-7311

ACQUISITION, DESIGN, OR  
DEVELOPMENT OF GROUP 1,2,  
AND 3 FACSIMILE APPARATUS

Jun-84 270.1103(c)(11)

NS

N -

CONCLUSION CODE(S): Q

RECOMMENDATION CODE(S): EC

\* RATIONALE \*

\* REMARKS \*

See 252.270-7101



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DFARS CLAUSES  
ORIGIN, FLOW DOWN, AND RECOMMENDATIONS

CLAUSE NUMBER	ALT	TITLE	DATE	PRESCRIPTION	ORIGIN CODE	SOURCE DESCRIPTION	FLOW DOWN AND LEVEL
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policy extends the recoupment requirement to commercial sales.